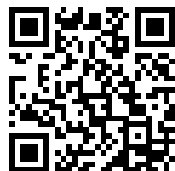


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Den's System of Moral Theology. 1848.

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*Rev. Martin Moore*











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TRANSLATIONS

FROM

GENS

THEOLOGY.

EDITED BY

REV. C. S. PARRY.

1843.

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## TO THE READERS.

*Fellow-Countrymen of every Denomination,*

You are here presented with Translations from PETER DENS, on the Nature of Confession, and the Obligation of the Seal. As I proceed, I shall set down under each translation the volume and the page from which it has been selected. I have made no attempt to exaggerate, color, or embellish: I give them as I have found them in the original; and that the public may see that the work is highly esteemed by the church, I append the following resolutions:

"At a meeting of the Roman Catholic Prelates of Ireland, held on the 14th of September 1808, it was unanimously agreed that *Dens' Complete Body of Theology* was the *best book* on the subject that could be republished."

This resolution was subsequently confirmed by another passed unanimously, at a meeting of Roman Catholic Bishops, held in Dublin on the 25th February 1810, viz.

"*Resolved*, That we do hereby confirm and declare our unaltered adherence to the Resolutions unanimously entered into at our last general meeting on the 14th September, 1810."—*Wyse's Hist. Cat. Ass.* vol. 2. Appen. p. 20.

But I proceed to take up the seal of Confession, and subscribe myself, gentlemen, Yours, &c.

PETER DENS'

## MORAL THEOLOGY.

### DE SIGILLO CONFES- ON THE SEAL OF SIONIS. CONFESSION.

Quid est sigillum confessionis sacramentalis?

R. Est obligatio seu debitum celandi ea, quæ ex sacramentali confessione cognoscuntur.—*Dens*, tom. 6. p. 218.

An potest dari casus, in quo licet frangere sigillum sacramentale?

R. Non potest dari; quamvis ab eo penderet vita aut salus hominis, aut etiam interitus Rei-publicæ: neque summus Pontifex in eo dispensare potest: ut proinde hoc sigilli arcanum magis liget, quam obligatio juramenti, voti, secreti naturalis, &c. idque ex voluntate Dei positiva.

What is the seal of sacramental confession?

Answer. It is the obligation or duty of concealing those things which are learned from sacramental confession.—*Dens*, vol. 6. p. 218.

Can a case be given in which it is lawful to break the sacramental seal?

Answer. It cannot; although the life or safety of a man depended thereon, or even the destruction\* of the commonwealth; nor can the Supreme Pontiff give dispensation in this; so that, on that account, this secret of the seal is more binding than the obligation of an oath, a vow, a natural secret, &c. and that by the positive will of God.

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\* *Destruction.* Strong as this language is, you shall soon see it all explained away, and nothing left but an empty name: the priest is bound to secrecy only as it promotes his views and supports his interests; when it militates against these, his secrecy is as fragile as any sealing-wax.



Quid igitur respondere debet Confessarius interrogatus super veritate, quam per solam confessionem sacramentalem novit?

*R.* Debet respondere, se nescire eam, et si opus est, idem juramento confirmare.

*Obj.* Nullo casu licet mentiri, atqui Confessarius ille mentiretur, quia scit veritatem, ergo, &c.

*R.* Nego minorem; quia talis Confessarius interrogatur ut homo, et respondet ut homo; jam autem non scit ut homo illam veritatem, quamvis sciat ut Deus, ait S. Th. q. II. art. 1. ad. 3. et iste sensus sponte inest responsione, nam quando extra confessionem interrogatur vel respondet, consideratur ut homo.

Quid si directe a Confessario quærat, utrum illud sciat per confessionem sacramentalem?

What answer then ought a confessor give when questioned concerning a truth which he knows from sacramental confession only?

*Answer.* HE OUGHT TO ANSWER THAT HE DOES NOT KNOW IT, AND, IF IT BE NECESSARY, TO CONFIRM THE SAME WITH AN OATH.

*Objection.* It is in no case lawful to tell a lie, but that Confessor would be guilty of a lie, because he knows the truth therefore,\* &c.

*Answer.* I deny the minor;† because such a confessor is questioned as a man, and answers as a man; but now he does not know that truth as a man, though he knows it as God, says St. Thomas, (q. II. art. I. 3.), and that is the free and natural meaning of the answer, for when he is asked, or when he answers outside confession, he is considered as a man.

What if a Confessor were directly asked whether he knows it through sacramental confession?

\* *Therefore.* Therefore he ought not to say on his word, much less his oath, that he does not know what he well knows.

† *The minor.* The minor proposition is, that 'the priest would be guilty of a lie in saying that he does not know what he has heard in confession,' by denying that Dens teaches, on the authority of St. Thomas, that the priest is not guilty of a perjury, or even of a lie, when he swears upon the Holy Evangelists that he does not know what he, at the same time, admits that he well knows, because, forsooth, what he heard as God, he denies as man; but as the Confessor, as you shall soon see, is bound to secrecy by no religious or sacramental obligation at all, because the seal relates only to the penitent or sinner, (quia sigillum habet relationem ad penitentem seu ad peccatorem,) but merely by considerations of utility, for he is silent only when not urged by a preponderating utility to reveal, (abstinentium his narrationibus, quando nulla utilitatis causa movet,) it clearly follows that the priest does swear falsely, urged solely by motives of utility to conceal, lest auricular confession should become odious, and the practice be abandoned.

R. Hoc casu nihil oportet respondere: ita Stey. cum Sylvio; sed interrogatio rejicienda est tanquam impia: vel etiam posset absolute, non relative ad petitionem dicere: ego nihil scio, quia vox *ego* restringit ad scientiam humanam.—*Dens*, tom. 6. p. 219.

Quid si quispiam peccata sua Confessario aperit hac intentione, ut Confessarium irrideat, vel ut eum pertrahat in societatem exequendi malam intentionem?

R. Non oritur sigillum, quia Confessio non est sacramentalis. Ita Romæ judicatum fuisse, refert Dominicus Soto, in casu, quo quidam accesserat Confessarium intendens eum pertrahere in conjurationis crimen contra Pontificem.—*Dens*, tom. 6. p. 220.

Denique indirecte ad sigillum redeuntur omnia, per quorum revelationem sacramentum redderetur odiosum juxta mores patriæ et temporum varietates: et ita Steyart de Poen. § 13. num. 1. p. 226. Ex Wig. animadvertit, aliqua uno tempore adversari sigillo, quæ alio tempore non

*Answer.* In this case he ought to give no answer, (so Steyart and Sylvius,) but reject the question as impious: or he could even say *absolutely*, not *relatively to the question*, I know nothing, because the word *I* restricts to his human knowledge.—*Dens*, v. 6. p. 219.

But if any one should disclose his sins to a Confessor with the intention of mocking him, or of drawing him into an alliance with him in the execution of a bad intention?

*Answer.* The seal does not result therefrom, because the confession is not sacramental. Thus, as Dominick Soto\* relates, it has been *decided* at Rome, in a case in which some one went to a Confessor with the intention of drawing him into a criminal conspiracy against the Pope.—*Dens*, v. 6. p. 220.

In fine, all things are reduced indirectly to the seal, by the revealing of which the sacrament *would be rendered odious according to the manners of the country and the changes of the times*; and thus Steyart observes from Wiggers, *that some things are at one time opposed to the seal, which at another time are not*

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\* Soto. You have been told above, that the seal could not be violated, even if it were to save the state from destruction, but you now perceive it has been violated to save the Pope from a conspiracy: if it is violated to save the Pope from some, perhaps, fabricated story of a conspiracy, how much sooner to promote the interests of the church, upon which the Pope himself depends for his power and his existence. Read on, and you'll see, even from their own account, what a precious humbug the doctrine of the seal is.



habentur ut talia.—*Dens*, t. 6. p. 222.

An Confessarius narrans peccata, quæ in confessione audit, agit contra sigillum?

*R.* Si nullo modo, nequidem in generali, peccator, seu persona possit agnosci, neque etiam ullum præjudiciam ipsi ex eo obvenire possit, non agit contra sigillum, quia sigillum habet relationem ad penitentem sive ad peccatorem.—*Dens*, tom. 6. p. 222.

Propterea providè Doctores oment, ab hisce narrationibus abstinendum, quando nulla utilitatis causa movet, propter scandalum, dum populus existimat Confessarium recordari singulorum peccata: et propter periculum remotum et suspiciones aliorum. Narrat Medina, lib. 2. chap. 4. Confessarium sic manifestasse personam adulteram, dum primo dixerat, primam penitentem fuisse confessam adulterium, postea imprudenter nominavit personam, quæ ejus prima penitens fuerat. Qua propter etiam in pretendo consilio præstat casum simpliciter proponere, non declarando illum sibi in confessione occurrere.—*Dens*, tom. 6. p. 222.

considered as such.—*Dens*, v. 6. p. 222.

Does a Confessor relating the sins which he has heard in confession, act contrary to the seal?

*Answer:* If the sinner or person can by no means be discovered, not even in general, nor any prejudice to himself happen therefrom; he does not act contrary to the seal; because the seal has reference to the penitent or sinner.—*Dens*, v. 6. p. 222.

Wherefore the Doctors providently advise that we should abstain from these narrations; when not moved to it by reason of utility,\* on account of the scandal, were people to suppose that the Confessor recollected the sins of each individual; and on account of the remote danger and suspicions of others. Medina tells us, book 2. chap. 4. that a Confessor had thus discovered an adulteress, by first saying that his first penitent had confessed an adultery, and afterwards imprudently naming the person who had been his first penitent. Wherefore, even in asking advice, it is better to state the case simply, without declaring that it has occurred to him in confession. *Dens*, v. 6. p. 222.

\* *Utility.* You have been told that the obligation of the seal is more binding than the obligation of an oath, but you are here told it ceases to bind when the priest is moved by reason of utility, *a fortiori*, as the logicians say, an oath ceases to bind when he is moved by reason of utility.


Quoniam obligationem sigilli sacramentalis contrahunt?

R. Omnes illi, ad quos pervenit notitia ex confessione mediate vel immediate, licite vel illicitè.

Hoc modo tenentur sigillo interpretas in confessione, et illi, qui circa confessionale considerant aliquid per accidens audiunt. Peccant autem illi, qui voluntaria auscultant vel audiunt. Similiter illi tenentur sigillo, quibus Confessarius sine licentia pœnitentiæ revelavit.

An pœnitens ligatur sigillo sacramentali ad celandum ea, quæ, Confessarius eidem dixit?

R. Negative, quia Confessarii dicta non sunt confessio sacramentalis.

Pœnitens tamen tenetur, secreto naturali, quando illa intentione dicta sunt a Confessario: quod supponitur, quando reverentia sacramenti,  honor Confessarii, vel aliæ circumstantiæ id requirunt: proinde peccant, qui Confessarii dicta enarrant mere ad risum vel ad contemptum ejusdem.—*Dens*, tom. 6. p. 231.

An Confessarius de licentiâ:

What persons contract the obligation of the sacramental seal?

Answer. All those who have got their knowledge from confession, mediately or immediately, lawfully or unlawfully.

In this manner interpreters\* in confession are bound by the seal, and those who, sitting about the confessional, accidentally hear any thing. But they commit sin who voluntarily listen or hear. In like manner, they are bound by the seal, to whom the Confessor has revealed† without the license of the penitent.

Is the penitent bound by sacramental seal to conceal those things which the Confessor has said to the same?

Answer. No, because the Confessor's words, are not sacramental confession.

The penitent however is bound by natural secret, since the words were spoken with that intention by the Confessor, which is supposed, since the reverence of the sacrament, or the honor of the Confessor, or other circumstances require that: wherefore they commit sin who relate the words of the Confessor merely for laughter, or through contempt of him.—*Dens*, v. 6. p. 231.

Can a Confessor, with license

\* *Interpreters.* When the penitent can not speak any of the languages understood by the priest, he is obliged to employ an interpreter.

† Here it is admitted that Confessors do reveal without the permission of the penitent.



*pœnitentis potest manifestare ea, quæ audivit in confessione ejusdem?*

*R.* Dupliciter hæc licentia dari potest: Primo ita, ut per eam licentiam det simul Confessario alium cognoscendi modum humanum extra-sacramentalem, ut Confessarius tunc ea cognoscat etiam tanquam homo, puta si pœnitens dicat: ea, quæ confessus sum, dico tibi extra confessionem: et hoc casu nihil ob stare videtur, quin Confessarius ea manifestet (modo absit scandalum) quia non utitur scientia sigilli, sed alia, cognitione humana: et ita sigillum non attingitur.

*Obj.* Pœnitens non repetivit ea omnia extra confessionem, ergo scientia illa non est extra sigillum.

*R.* Illa licentia sic data continet æquivalenter seu virtualiter repetitionem; deinde per illam licentiam scientia sigilli accipit alium modum extra-sacramentalem quod sufficit.

*Obj.* Mali sacerdotes possent sic abuti sigillo, dicendo, se habere licentiam.

*R.* S. Th. q. II. a. 4. ad 3. incumbit eis probatio receptæ licentiæ; sed creditur Confessario juranti, se obtinuisse licen-

of the penitent, disclose what he has heard in that penitent's confession?

*Answer.* This license can be given in a two-fold way: 1st, so as by that license he may give the Confessor, at the same time, another human extra-sacramental mode of knowing it, in order that the Confessor may then know it even as a man: suppose if the penitent were to say, what I have confessed to you I tell you without confession: and in this case nothing prevents the Confessor from disclosing, (*providing there be no scandal,*) because he does not use the knowledge of the seal, but another sort of knowledge, namely, human: and thus the seal is not touched.

*Objection.* The penitent has not repeated all those things without confession, and therefore that knowledge is not without the seal.

*Answer.* That license thus given equivalently or virtually contains the repetition; besides by that license the knowledge of the seal receives a different extra-sacramental mode, which is sufficient.

*Objection.* Bad Priests could thus abuse the seal by saying they had liberty.

St. Thomas answers, it is incumbent on them to prove they have received the license; but a Confessor is believed when he

tiam a pœnitente. La Croix, lib. 6. n. 1969.

*swears he has obtained license from the penitent.*—La Croix, lib. 6. n. 1969.

Secundo: licentia illa dari potest ita, ut res, quæ, per confessarium alteri revelatur, transeat cum et sub sigillo sacramentali, ut etiam iste, ad quem notitia transit, obligetur sigillo: et de hoc casu videtur dicendum cum Suarez disp. 33. sect. 5. n. q. p. 443, quod pœnitens possit licite et valide talem licentiam dare Confessario, quia sigillum obligat in favorem pœnitentis, qui hoc extendere potest ad alias personas, sicuti dum confitetur per interpretem: et in hoc casu iste, cui Confessarius ex licentia Pœnitentis communicat ligatur sigillo confessionis.

Secondly, that license can be given, as that the thing, which is revealed by the Confessor to another, may pass with\* and under the sacramental seal, so that even he, to whom the knowledge passes, may be bound by the seal: and with respect to this case, it seems we must say with Suarez, that the penitent can lawfully and validly give such license to the Confessor, because the seal obliges in favor of the penitent, who can extend this to other persons, in the same way as when he confesses by an interpreter; and in this case he, to whom the Confessor with the license of the penitent communicates the knowledge, is bound by the seal of confession.

*Obj.* Sigillum obligat etiam ob reverentiam sacramenti, ergo pœnitens non potest licentiam dare. Probatur a *¶*i: sicut Clericus non potest cedere juri Canonis, et dare licentiam, ut percutiatur ab altero.

*Objection.* The seal obliges even through reverence of the sacrament, therefore the penitent can not give license. This is proved by an "*a pari*"† argument; as a Cleric can not resign the right‡ or privilege of the Canon, and give license to another to strike him.

\* *With.* And so he to whom it passes may of course pass it on, by the same license to a fourth, with and under the sacramental seal; and thus, the confession or peccadillo of even a fair lady may pass, under one pretence or another, to all the priests in the kingdom, even to the Pope to Rome, if the interests of the Church should require to transmit it to such distance.

† *A pari.* By citing a parallel case.

‡ *Right.* Si quis suadente diabolo hujus sacrilegii reatum incurrerit, quod in Clericum vel Monachum violentes manus injecerit, Anathematis vinculo

*Right.* If any one at the suggestion of the devil should be guilty of the sacrilege of laying violent hands on a Cleric or a Monk, let him lie beneath



*R. Disparitas est, quod illa licentia Clerici non cederet in favorem Cleri nec istius Clerici, sed directe contra finem Canonis seu legis, sed licentia illa penitentis est in favorem penitentis et sacramenti, nam per hanc sacramentum penitentia non redditur odiosum, sed amabile penitentibus, eo quod possint secretum sigilli extendere.*

Notant etiam Du Jardin sec. 9. §. 3. n. 5. Suarez d. 34. §. 4. n. 12. Antoine t. 4. Pen. c. 4. q. 5. Sylvius in q. II. a. 2. penitentem

*Answer.* There is a disparity, because that license of the Cleric, would not turn out to the favor of the Clergy, nor of that Cleric, but directly against the end of the Canon or Law, but that license of the penitent is in favor of the penitent and of the sacrament, for, by this, the sacrament of penance is not rendered odious, but lovely to the penitents, because they can thereby EX-TEND the secret of the seal.

Du Jardin also and Suarez, Antoine and Sylvius, remark that a penitent can sometimes be compelled to concede some such

subject; et nallus Episcoporum illum presumat absolvere (nisi mortis urgente periculo.)

Vocatur hoc privilegium.

An percussus liberatur a censura, si Clericus dederit licentiam et cessaverit privilegio Canonis?

*R.* Nullo modo, quia Clericus invalide et illicite cedit illi privilegio, quia statutum est pro honore et reverentia totius Cleri, cui ipse cedere non potest.—No. 227. v. 6.

the bond of anathema: and let none of the Bishops presume to absolve him, unless urged by the danger of his dying.

This is called the privilege.

Is the striker freed from the censure if the Cleric should have given liberty, and resigned the privilege of the Canon?

*Answer.* By no means, because the Cleric invalidly and unlawfully resigns that privilege, because it was established for the honor and the reverence of the whole Clergy, which he can not of himself resign.

\* *Disparity.* By saying in reply to the objector's argument, "a pari," that there is a disparity in the cases, he denies that the seal is binding on the Confessor through reverence of the sacrament, but he has told us not long since, that the penitent, through reverence of the sacrament, is bound not to disclose what she has heard from the priest in the Confessional, so that whilst the penitent is taught that she is bound to conceal, through reverence of the sacrament, what has been said by her Confessor, the priest is taught that he is bound only by his interest: he is silent when impelled by no preponderating interest (quando nulla utilitatis causa movet;) he is silent only when his babbling would render confession odious. It is also to be remarked, that whilst he begins by saying that the priest by the positive will of God is bound to an inviolable secrecy, he ends by teaching, through his explanations and exceptions, that he is religiously or sacramentally bound to no secrecy at all; on the contrary, though he answers the question, "Is the penitent bound by sacramental seal to conceal those things which the Confessor has said to the same,"—though he answers that question in the negative, he teaches that she is bound through reverence of the sacrament to an inviolable secrecy. Thus they would impose on men by their general propositions.

† *Penance.* The Roman Catholic translation of *Penitentia*, which Protestants more correctly render by the word *repentance*.

posse aliquando obligari ad similem aliquam licentiam concedendam, alias non absolvendum.

An is, a quo Confessarius cum licentia poenitentis petivit consilium, obligatur secreto sigilli?

R. Distinguo; si priori modo suprascripto licentia sit concessa, non obligatur.

Si posteriori modo sit data, obligatur sigillo, quod ordinario supponi debet, saltem quando res est odiosa: addit La Croix lib. 6. pag. 2. n. 1597, eo casu, alteri esse notificandum quod res communicetur sub sigillo.

An Confessario licitum est loqui poenitenti, extra confessionem, de auditis ab ipso in confessione?

R. Negative, quia Confessarius extra confessionem agit ut homo. Id tamen licet, si poenitens det licentiam secundum prædicta; censetur autem poenitens eam dare, si ipse primus interroget vel loquatur Confessario de iis, quæ in confessione aperuit.

An immediate post absolutionem datam Confessarius potest adhuc loqui poenitente de iis, quæ in confessione exposita sunt?

License, or otherwise be not absolved.

Is he, from whom the Confessor, with the license of the penitent, has asked advice, obliged by the secret of the seal?

Answer. I distinguish; if the license has been given in the first way above-written, he is not obliged.

If it has been given in the latter way, he is obliged by the seal, which ought *ordinarily* to be supposed, at least since the thing is odious: La Croix adds, that in this case it should be notified to the other, that the circumstance is *communicated* under the seal.

Is it lawful for a Confessor to speak to a penitent, without confession, on the things which he has heard from the penitent in confession?

Answer. No, because the Confessor outside the confession acts as a man. However, it will be lawful, if the penitent give license according to what has been previously said: but the penitent is supposed to give it, if he should first interrogate or speak to the Confessor about what he has disclosed in confession.

Can the Confessor, immediately after giving absolution, as yet speak to the penitent about what has been exposed in confession?

*R.* Affirm: quamdiu scilicet pœnitens est in Confessionali, et in quantum convenit pœnitenti, quia monere, instruere, corrigere, consulere spectent ad complementum ejusdem functionis sacramentalis, sicut licet imponere satisfactionem post absolutionem. —*Dess*, t. 6. pp. 232-4.

An Confessario licitum est uti scientia accepta ex sola confessione sacramentali alterius?

Quamvis semper sit illicitum frangere sigillum, quæritur tamen: utrum sit contra reverentiam sigilli, agere aliquid vel omittere aliquid ex illa scientia, quod aliàs Confessarius non fecisset? Ad quod respondetur, id aliquando esse contra sigillum, aliquando non esse.

Quandonam est contra sigillum uti scientia confessionis?

*R.* Quando subest periculum, ne aliquid directe vel indirecte reveletur de confessione personæ cognitæ. Imo, quamvis nullum tale periculum apparet, neque etiam sciatur, Confessarium uti scientia confessionis, si equidem illud cederet in gravamen, verum

*Answer.* Yes: as long indeed as the penitent is in the Confessional, and as far as it is suitable to the penitent, because to advise, to instruct, to correct, to consult, tend to the completion of that same sacramental function, just as it is allowed to impose satisfaction after absolution.—*Dess*, v. 6, pp. 232-4.

Is it lawful for a Confessor to avail himself of that knowledge which he has acquired solely from the sacramental confession of another.

Although it is always unlawful to break the seal, however it is inquired whether it is contrary to the reverence of the seal, to do any thing, or to omit any thing, on account of that knowledge which the Confessor could otherwise not have done? To which it is answered, *it is sometimes contrary to the seal, and sometimes NOT.*

When is it contrary to the seal to make use of the knowledge of confession?

*Answer.* When it is attended with danger,\* lest any thing be revealed directly or indirectly respecting the confession of a known person. Nay, although no such danger appears, and although it be not known that the Confessor avails himself of the

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\* *Danger.* Here it is distinctly stated, that when it is unattended with danger, the priest may avail himself of the knowledge acquired from confession: and you shall soon see, that when he learns from confession that females are given to certain sins, he sometimes contrives to avail himself of that knowledge too.



vel apprehensum, pœnitentis vel complicit, ageretur contra sigillum, in quantum confessio sic posset reddi odiosa : v. g. si Confessarius ex sola cognitione confessionis neget pœnitenti vel complici testimonium morum.—*Dens*, tom. 6. p. 235.

Quandonam licitum est uti scientia in confessione acquisita ?

*R.* Quando peccator nullo modo manifestatur, nullum quoque gravamen ei aut alteri generatur, nihil denique intervenit, quod odiosam reddit confessionem.—*Dens*, tom. 6. p. 238.

Similiter, si ex confessione cognoscat in Parochia spargi

knowledge of confession, yet if it might turn out to be a real or apprehended grievance to the penitent or his accomplice, it would be acting contrary to the seal, in as much as confession *would thus be rendered odious* : for instance, if a Confessor should from the sole knowledge of confession deny a penitent or his accomplice a testimonium of morals.\*—*Dens*, v. 6. p. 235.

When is it lawful for the Confessor to make use of the knowledge acquired in confession ?

*Answer.* When the sinner is by no means discovered, also when no grievance is occasioned to him or to another; in fine, *when nothing intervenes to render confession odious.*†—*Dens*, v. 6. p. 238.

In like manner, if he should learn from confession, that here-

\* *Testimonium of Morals.* This is indeed an important passage : great value has been set in this country upon getting what's called a character from the priest. The culprit from the dock exclaims, "My lord, I'll get a character from the priest;" and we ourselves often say to the laborer and the servant, "bring me a character from your priest." As the priest hears the confessions of his parishioners, he must know the honest and the dishonest, the moral and the immoral; and as a Christian pastor bound by his office to discourage vice and to encourage virtue, to restrain the dishonest and to promote the honest, he surely will not recommend any whom he knows to be unworthy : such has been our reasoning—such has been the general impression. Silly people, what does *Dens* say ? That the priest can not refuse a testimonium moral character, even to the most vicious, lest confession should become odious, and the Confessionals deserted !

† *When is it lawful.* From the frequency with which this question has been asked, it would appear that the compiler's object was to impress upon the minds of the priests their right to break the seal whenever it opposed itself to their interests, or to the execution of their designs.

‡ *Odious.* This shows in what sense the Pope is said to be unable to dispense with the obligations of the seal, for if the priests were allowed openly to reveal, confession should cease, and all its advantages to the priesthood be lost : and who would be the fool to grant a dispensation to knock up the most profitable branch of his own trade ?

hereses, carpere quædam vitia et peccata, poterit per generales instructiones et monitiones, præmunire fideles contra similia peccata, sic ut personam non producat.—*Dess.*, tom. 6. p. 238.

An autem conditio educandi prolem in hæresi, v. g. ut filii sequantur patrem hæreticum in qua secta, et filie matrem Catholicam, repugnet substantiæ matrimonii?

*R.* Observat Daelman, quod si pars Catholica sub tali conditione iniens matrimonium, directe intenderet educationem prolis in hæresi, invalidum foret matrimonium: unde supponitur, inquit, quod duntaxat se obliget, quod talem educationem non sit impeditura.

Irrita interim est huiusmodi stipulatio, cum repugnet obligationi parentum; et licet aliqui contentur tale pactum excusare, dum pars Catholica tantum se obligat ad permittendum talem educationem ex causa vitandi majoris mali in communitate, ubi

sects are being spread in his parish, that certain vices and sins are creeping on, he'll be able, by general instructions and monitions, to guard the faithful against such sins, so as not to disallow the person.—*Dess.*, n. 6. p. 238.

But is the condition of, educating the offspring in heresy repugnant to the substance of matrimony, namely, that the sons may follow their heretical father in his sect, and the daughters their Catholic mother?

*Answer.* Daelman observes, that if the Catholic party entering matrimony under such condition, directly intended the education of her offspring in heresy, the marriage would be invalid; whence it is supposed, he says, that she only obliges herself not to prevent such education.

*Then, after giving the opinions of other Divines, he proceeds:*

In the mean time, this kind of stipulation is null, since it is repugnant to the obligation of parents; and although some endeavor to excuse such compact, whilst the Catholic party only obliges herself to permit such education for the sake of avoid-

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† *Heresies.* From this it appears that the religion of other people forms a subject of inquiry in the Confessional, and that penitents are asked about the faith of their neighbors, or their masters. It is to be hoped that this and the extracts from the 7th volume, which follow upon the next page, may suggest some precautionary measures to those Protestants who, though married to Roman Catholic wives, would yet bring up their children in the faith of their fathers. Think you their faith is not tampered with in the Confessional? Think you the priest whispers not into the ear of the fond mother, "My dear, you are bound by no promise to permit the education of your children in a damnable sect!"

Catholici et hæretici permixti vivunt: attamen dicendum cum Pontio, Braunman, et Reiffenstuel, simile matrimonium cum expresso aut tacito pacto, vel sub conditione, "ut vel omnes vel aliquæ proles, v. g. masculæ educantur in secta patris hæretici," semper et ubique esse illicitum, iniquissimum et graviter peccaminosum contra naturalem parentum obligationem, ac contra jus divinum et ecclesiasticum: Et enim quisvis parentum tenetur ex pietate curare, ut proles in vera fide educetur, mediaque ad salutem necessaria acquirat: ergo non potest pacto se obligare, quo permetteret educationem proli in secta damnablem.

Nec contra *usages* et *consuetudo* palam in pluribus locis existentes: nam pactum hoc est contra jus divinum, contra quod *consuetudo* etiam immemorialis nihil operatur.—*Dens*, tom. 7. p. 144-5.

Nota quod si Catholicus scienter contrahat matrimonium cum parte hæretica, non possit ex eo capite se ab ea separare, quia renunciavit juri Divortii; excipe tamen nisi hæreticus, con-

trary greater evil in a community where Catholics and heretics lived mingled together: however we must say with Pontius, Braunman, and Reiffenstuel, that such marriage with express or tacit compact, or under the condition "that either all, or any of the children, for instance, the males, be educated in the sect of their heretical father," is *always and everywhere unlawful, most iniquitous, and grievously sinful against the natural obligation of parents, and against the divine and ecclesiastical law*; for every parent is bound piously to take care that the offspring be educated in the true faith, and acquire the necessary means for salvation: therefore *she is bound by no obligation to permit the education of her offspring in a damnable sect.*

Nor does usage and custom openly existing in several places, make against this: for this compact is against divine law, against which even immemorial custom operates nothing.—*Dens*, v. 7. pp. 144-5.

Take note that if a Catholic knowingly contract marriage with a heretic, he cannot on that head separate himself from her, because he has renounced the right of divorce; *except\* however*

\* *Except.* If a Protestant female married to a Roman Catholic renounce not her religion at the bidding of the priest, the marriage is pronounced invalid, and the husband may sue for a divorce. If any immoral rascal should wish to abandon his wife, let him but say that he is in imminent danger of losing his faith by cohab-



versionem suam promississet, nec stare promissis; item si Catholicus sciat sibi imminere periculum amittendæ fidei ex cohabitatione cum hæretica.—*Dens*, tom. 7. p. 180.

Similiter Sanchez existimat in copula fornicaria partis Catholicæ cum hæretica reperiri malitiam contra religionem; quia quamvis validum sit matrimonium cum parte hæretica, per se tamen est illicitum, et dedecus religionis, item ob periculum perversionis, educationis prolis in hæresi, quæ rationes, militant etiam in copula fornicaria.—*Dens*, tom. 7. p. 196-7.

Quid intelligitur per casus reservatos?

*R.* Intelliguntur peccata quædam, quorum absolutionem sacramentalem superior specialiter sibi reservat.

Hæc reservatio simplex non est censura, cum non sit proprie pœna, sed simplex negatio approbationis vel jurisdictionis.—*Dens*, tom. 6. p. 263.

Quis potest reservare peccata?

*R.* Ille Superior, cui competit concedere approbationem

*unless the heretic promised her conversion, and would not stand to her promise: in like manner, if the Catholic knows that he is in imminent danger of losing the faith by cohabiting with a heretic.*—*Dens*, v. 7. p. 180.

In like\* manner, Sanchez is of opinion that when a Catholic commits fornication with a heretic, there is found in the act a malice against religion; because although the marriage of a Catholic with a heretic is valid, it is however, in itself invalid and a disgrace to religion, as also on account of the danger of perversion, and of educating the offspring in heresy, which reasons militate even in fornicarious copulation.—*Dens*, v. 7. p. 197.

What is understood by reserved cases?

*Answer.* Certain sins, the sacramental absolution of which the superior specially reserves to himself.

This simple reservation is not a censure, since it is not properly a punishment, but a simple negation of approbation or jurisdiction.—*Dens*, v. 6. p. 263.

Who can reserve sins?

*Answer.* That Superior for whom it is competent to grant

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iting with a heretic, and the marriage is dissolved. What think ye of that, Protestants?

\* *In like.* His holy horror of heresy carries him so far as to pronounce it more sinful to commit fornication with a Protestant girl than with a Roman Catholic. We hope, though we are no advocates for immorality of any kind, that when young Roman Catholics feel their blood too hot, they will, for their soul's sake, recollect the distinction.

vel jurisdictionem ad absolvendum a peccatis.

Summus Pontifex decernit casus reservatos pro universa Ecclesia; Episcopus pro sua Diocesi; Superiores Regularium pro suis subditis casus reservare possunt, sed juxta limitationem Clementis VIII.—*Dens*, tom. 6. p. 270.

approbation or jurisdiction to absolve from sins.

The Supreme Pontiff determines the reserved cases for the universal Church; the Bishop for his own Diocese; the Superiors of Regulars can reserve cases for their own subjects, but according to the limitation of Clement the 8th.—*Dens*, v. 6. p. 270.

## DE ABSOLUTIONE ON THE ABSOLUTION OF AN ACCOMPLICE.

"Advertendum quod nullus Confessarius, extra mortis peri-

COMPLICE.\*  
"Let it be observed† that, ex-

\* *Accomplice.* An accomplice with the priest in the commission of carnal sin.

† *Let it be observed.* He tells us this decree issued from the illustrious Lord Creusen, Archbishop of the Diocese of Mechlin, and was extended by the Supreme Pontiff, Benedict the Fourteenth, to the whole Church, in the Constitution called *Sacramentum Penitentiae*, or *Sacrament of Penance*, on the 1st day of June, 1741. But it must surely be admitted there was some necessity for this decree, or it never would have been made. It necessarily leads to no very favorable opinion of the morality of the Belgian priests. The distemper must have raged furiously, and made great havoc in the fold, before the Archbishop so stigmatized the venerable Clergy of his archdiocese. The moral atmosphere must have been strongly infected with sacerdotal miasma before the Archbishop attempted to apply his healing hand to rescue the soft and the tender from the unholy fire with which they were so often smitten. We know enough of the Clergy to affirm that the Archbishop would not have been the first to scandalize his reverend brethren. However, this decree is an admission on the part of Dens, who records it, of the Archbishop, who framed it, and of the Pope himself who extended it to the whole Church, that *women have been seduced in the Confessional*. What was done then may be done now: men and women are still the same, with the same passions and the same desires. But this provides a remedy against the disease. It provides indeed—what think you? that the seducer, except in case of danger of death, absolve not his victim, but send her to *any* other priest, who is fully empowered to absolve the fallen creature from her guilt (if indeed the guilt be hers) even without the necessity of sending her to his Superior for a ticket of absolution. *She has but to change her Confessor.* (Is it ever done?) Such is the remedy!—Such the Pontifical specific for the unholy contagion!!! Nor is the unholy seducer himself sent to his Superior, but in every possible way screened from merited infamy; he is in fact encouraged in his virtuous career. *Macte virtute puer; sic iter ad astra.* Father John can absolve Father Tom's chere amie, and Father Tom can do as much in turn for Father John, and then at their next meeting they can both kneel down and alternately absolve each other. Such, and such only, is the extent and power of the check put by an Archbishop and a Pope to the seduction of women in the Confessional. But any one of ordinary sagacity must see that this is rather an encouragement than a check: nay, it is a positive encouragement—it binds them together, and gives them a common interest in the practice. Father Mick must absolve for Father

culum, licet alias habeat potestatem absolvendi a reservatis, absolvere possit aut valeat a peccato quolibet mortali externo contra castitatem, complicem in eodem secum peccato."

*cept in case of danger of death, no Confessor, though he may otherwise have the power of absolving from reserved cases, may or can absolve his accomplice in any external\* mortal sin against chastity, committed by the accomplice with the Confessor himself."*

Hic casus complicitis non collocatur inter casus reservatos, quia

*This case of an accomplice is not placed amongst the reserved*

Pat, and Father Pat for Father Mick; and whenever either is so unfortunate as to make an attempt on a refractory penitent, which but seldom happens, as the nature of the confession enables them to select proper victims, they are bound to render one another aid and advice *secretly*, "lest there should arise a suspicion of their having violated the seal:"—"ne suspicio violati sigilli suboriatur." Each has an interest in protecting the other. But admitting it to be a check, which I am by no means ready to do, I would ask, Are the priests of 1848 more virtuous than those of 1741? Are the Irish priests less susceptible than the Belgian? Less alive to the impressions of beauty? Are the women of Ireland less desirable? Are not ease and idleness, high keeping and obscene books (and were ever more obscene books than the cases of conscience?) incentives to lust? Is it not admitted by Dens that the carnal appetites of the Confessor are fired by the bare reading of the cases of conscience, even at home within the cold walls of his study? Put him thus prepared into the Confessional, and throw a lovely woman, a weak and lovely one, before him—a woman perhaps addicted to sin—for women do sometimes err;—add fire to fire; for it is not the type and paper that fire his imagination and excite his appetites, but the realities they represent to his mind—I now ask any man to imagine himself in the same situation, and honestly tell what is likely to be the result. Are not the "motus sensitivi," the "motus sensualitatis," the sensitive, sensual, or mulierose motions, to which I shall immediately call your attention, as likely to be excited by a bawdy book, a pretty woman and an opportunity, in an Irishman as a Belgian? O, no; our priests are a spiritual sort of men, they dine daily on ambrosia, (not flesh-meat, costly fish and strong sauces;) they quaff nectar, (not strong wines, hot punch or *scalltheen*;) and is but ichor runs in their veins; they are all spirit, none of your earthy flesh and blood like other men, and have no carnal desires. Indeed I believe it, I once heard a very nice girl, and a girl of the better sort too, say that she would as soon sleep with the priest as with her white pettycoat! They are, as Dan said of Father Tom, physically unable; the influence of the Spirit is so great as always to overpower, and if there be any very rampant, as in Tom's case, sometimes to quite unman them!

\* *External.* Actual sin, or sin actually committed.

† *This case.* Thus you see that the seduction of females in the Confessional does not constitute even a reserved case: but what is reservation? it is not censure you are told; it is only a simple negation of approbation, or jurisdiction; and thus the Bishops, by not denying approbation, wink at the practice, as long as it can be done without scandal, for that appears to be the only principle of morality they recognise. "Wherefore copulation with a novice, or a nun, or any other bound by a simple vow of chastity does not constitute a reserved case; nor is a religious man or a priest comprehended (in the reserved case:) so that a free woman (qu. lay woman) transgressing with a religious priest, does not incur this case (of reservation)"—"Proinde copula cum novitia, vel cum Beggina, vel alia voto simplici castitatis obstricta, non constituit casum reservatum: neque vir religiosus aut Sacerdos comprehenditur; adeo ut persona libera peccans cum Religioso sacerdote non incurrat hunc casum."—*Dens*, tom. 6. p. 287.



Episcopus non reservat sibi absolutionem, sed quilibet alius Confessarius potest ab eo absolvere, præterquam sacerdos complex.

An comprehenditur masculus complex in peccato venereo v. g. per tactus?

R. Affirmative, quia Pontifex extendit ad qualemcunque personam.

Non requiritur ut hoc peccatum complicitis patratum sit in confessione, vel occasione confessionis: quocunque enim loco vel tempore factum est, etiam antequam esset Confessarius, facit casum complicitis.

Nota ultimo, cum restrictio fiat ad peccata carnis, poterit Confessarius complicem in aliis peccatis, v. g. in furto, homicidio, &c. valide absolvere.—*Dens*, tom. 6. pp. 291-2.

*cases, because the Bishop does NOT reserve the absolution to himself, but any other Confessor can absolve from it, except the priest who is himself the partner in the act.*

Is a male accomplice in venereal sin, to wit, by touches, comprehended in this decree?

*Answer.* Yes, because the Pope extends it to whatsoever person.

It is not required that this sin of an accomplice be committed in confession, or by occasion of confession; for in whatever place or time it has been done, even before he was her Confessor, it makes a case of an accomplice.

Lastly, take note, that since the restriction is made to carnal sins, the Confessor will be able to give valid absolution to his accomplice in other sins, namely, in theft, in homicide, &c.—*Dens*, v. 6. pp. 291-2.

*After telling us that, in obedience to a bull of Gregory the Fifteenth, and a constitution founded thereon by Benedict the Fourteenth, any Priest is to be denounced who endeavors to seduce his penitents in the Confessional, he asks the following question:*

Confessarius sollicitavit pœnitentem ad turpia, non in confessione, nec occasione confes-

A Confessor has seduced his penitent to the commission of carnal sin,\* not in confession, nor

\* *Carnal sin.* He tells us in the Chapter "De Confessario Sollicitante" that by "*turpia*" are meant carnal or venereal sins, as I have rendered it;—"Carnalia seu venerea." v. 6. p. 294.

nionis, sed ex alia occasione extraordinaria: An est denunciandus?

*R.* Negative. Aliud foret, si ex scientia confessionis sollicitaret, quia, v. g. ex confessione novit illam personam deditam tali peccato venereo. *P. Antoine*, t. 4. p. 430.

Propterea monet Steyartius, quod Confessarius poenitentem, qui confitetur se peccasse cum Sacerdote, vel sollicitatum ab eo ad turpia, interrogare possit utrum ille sacerdos sit ejus Confessarius, an in confessione sollicitaverit, &c.

An denunciatio fieri debet, quando dubium est, utrum fuerit vera et sufficiens sollicitatio ad turpia?

*R.* Quidam negant, sed Card. Cozza cum aliis, quos citat dub. 25, affirmat, si dubium non sit leve, dicens examen illud relinquendum Episcopo sive Ordinario.—*Dens*, t. 6. p. 294–5.

by occasion of confession, but from some other extraordinary occasion: Is he to be denounced?

*Answer.* No. If he had tampered with her, from his knowledge of confession, it would be a different thing, because, for instance, he knows that person from her confession, to be given to such carnal sins. *P. Antoine*, t. 4. p. 430.

For which reason Steyart reminds us that a Confessor can ask a penitent, who confesses that she has sinned with a priest, or has been seduced by him to the commission of carnal sin, whether that priest was her Confessor, or had seduced her in the Confessional.

Ought the denunciation be made, when there exists a doubt whether the solicitation to carnal sin was real and sufficient?

*Answer.* Some say No, but Card. Cozza with others whom he cites, doubt 25, says yes, if the doubt be not light, adding that the examination of the matter is to be left to the Bishop or the Ordinary.—*Dens*, v. 6. p. 294–5.

## DE MODO DENUNTIANDI SOLICITANTEM PRÆFATUM.

Primus modus magis conveniens est, si ipsa persona sollicitata immediate, nulli alteri revelando, accedat Episcopum sive Ordina-

## ON THE MODE OF DENOUNCING THE AFORESAID SEDUCER.

The first and most convenient mode is this, if the person upon whose chastity the attempt had

rium. 2o. Potest Episcopo scribere epistolam clausam et signatam sub hac forma: *Ego Catharina N. habitans Mechliniæ in platea N. sub signo N. hiæce declaro me 6 Martii anno 1758 occasione confessionis fuisse sollicitatem ad inhonestam a Confessario N. N. excipiente confessiones Mechliniæ, in Ecclesia N. quod juramento confirmare parata sum.*

3d. Si autem scribere nequeat, similis epistola scribatur ab alio, v. g. a secundo Confessario cum licentiâ pœnitentis, et nomen pœnitentis seu personæ sollicitatæ exprimatur ut supra: sed nomen, Confessarii sollicitantis, ut occultum maneat scribenti, non exprimatur, verum a tertio aliquo, rei ignaro, in chartula aliqua nomen ejus scribatur sub alio prætextu, quæ chartula epistolæ præfatæ includatur.

In hoc casu (denunciationis) tamen quidam putant moderandum, et considerandas esse cir-

been made, would proceed herself immediately to the Bishop or the Ordinary, without revealing the circumstance to any one else. 2d. She can write a letter closed and sealed to the Bishop in the following form:—*I, Catharine N. dwelling at Mechlin in the street N. under the sign N., by these declare that I, on the 6th of March, 1758,\* on the occasion of confession, have been seduced to improper acts by the Confessor N. N. hearing confessions at Mechlin, in the church N. which I am ready to confirm on oath.*

3d. But if she cannot write, let a similar letter be written by another, namely, by a second Confessor with the license of the penitent, and let the name of the penitent or person seduced be expressed as above, but let the name of the seducing Confessor, in order that it may remain a secret to the writer, be not expressed,† but let his name be written under a different pretext, by some third person ignorant of the circumstance, on some scrap of paper which may be enclosed in the aforesaid letter.

In this case (of denouncing) however, some are of opinion that *moderation* must be observed, and that the circum-

\* 1758. This informs us of the period at which Dens lived and wrote.

† Not expressed. All the precautions to secure him from merited infamy.



cumstantias frequentias, periculi, &c.—*Dens*, tom. 6. p. 295.

Monentur interea Confessarii, ut mulierculis quibuscunque accusantibus priorem Confessarium, fidem leviter non adhibeant; sed prius scrutentur occasionis finem et causam, examinent earum mores, conversationem, &c.

Quocirca observa, quodquæcunque persona, quæ per se vel per aliam falso denuntiat sacerdotem tanquam sollicitatorem, incurrat casum reservatum Summo Pontifici. Ita Benedictus XIV. Constit. *Sacramentum Pœnitent.* apud Antoine, p. 418.

Benedictus XIV. in Constit. citata numero 216, reservavit sibi et successoribus peccatum falsæ denunciationis Confessarii sollicitantis ad turpia.—*Dens*, tom. 6. pp. 295–6–7.

stances of frequency\* of danger, &c. must be considered.—*Dens*, v. 6. p. 295,

In the mean time Confessors are advised *not lightly to give credit to any women whatsoever* accusing their former Confessor, but first to search diligently into the end and cause of the occasion, to examine their morals, conversation, &c.

For which reason observe, that whatever person, either by herself or by another, falsely denounces a priest as a seducer, incurs a case reserved for the Supreme Pontiff. Thus Benedict the Fourteenth, in the Constitution called "*Sacramentum Pœnitentiæ*" in Antoine, p. 418.

Benedict the Fourteenth, in the Constitution cited in No. 216, reserves to himself and his successors† the sin of falsely denouncing a Confessor for seducing his penitent to commit carnal sin.—*Dens*, vol. 6. pp. 295–6–7.

\* *Frequency.* The following is taken from no incompetent authority, the Rev. D. O'Croly, Parish Priest of Ovens:—"The knowledge of vice is conveyed by indelicate interrogatories, and the profligate priest makes the Confessional subservient to the gratification of his unruly appetites. The crime '*solicitatio mulieris*'—'to solicit a female in the tribunal,' is not of such rare consequence."—*O'Croly's Inquiry*, p. 151.

† I remember an attempt to have been made on the virtue of a very pretty woman, a farmer's wife, at her own house and in her own room, by a young priest who had been there hearing confessions; she instantly denounced him to her husband, who drove him out of the house, and on the next day, I believe, laid the matter before the Bishop. How did it end, think you? Terrified, I suppose, (for I know not what the threat or inducement was) with the threat of sending them both to the Pope, it was then for the first time made known to her neighbors, and even to her servants, that she was subject to occasional fits of madness, and that it was in one of her paroxysms she unfortunately imagined that the priest had made the attempt of which she accused him: the husband was obliged to submit to this imputation on the sanity of his wife's mind, and publicly to beg the priest's pardon.

Alloquium puellæ est occasio proxima illi qui ex decem vicibus bis vel ter solet cadere in peccatum carnis vel in delectationem carnis deliberatam.

Frequentatio quotidiana tabernæ aut puellæ censetur esse occasio proxima respectu ejus, qui ex ea vel bis vel ter in mense prolabitur in simile peccatum mortale.

Idem resolvit P. Du Jardin pag. 51 de administratione quotidiana alicujus officii licet honesti, v. g. Medici, Confessarii, Causidici, Mercatoris, si inde quis bis terve per mensem deliberate cadere soleat, et pag. 53 concludit Confessarium obligari ad deserendum illud ministerium.

*Obj.* Confessarius ille quotidie occupatus in ministerio audiendi confessiones, rarissime cadit comparative ad vices, quibus non cadit; ergo ministerium audiendi confessiones respectu illius non est occasio proxima.

Speaking to a girl is a proximate occasion (of sin) to him, who, out of every ten times, is wont to fall twice or thrice into carnal sin, or into deliberate carnal delight.

Daily frequenting a tavern or a girl is considered a proximate occasion (of sin) in respect of him, who, on that account, falls twice or thrice a month into like mortal sin.

P. Du Jardin is of the same opinion (p. 51) respecting the daily administration of any office, however honest, for instance, of a Physician, a Confessor, a Lawyer, a Merchant, if any should on that account be accustomed to fall deliberately two or three times a month, and in page 53 he concludes that the Confessor is bound to desert that ministry.\*

*Obj.* That Confessor every day occupied in the ministry of hearing confessions, falls very seldom† in comparison with the times he does not fall; therefore the ministry of hearing confessions is not with respect to him a proximate occasion (of sin.)

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\* *Ministry.* Even according to Du Jardin, who is quoted as being severe, the Confessor may commit carnal sin once a month with a penitent, for he is not bound to abandon the ministry of hearing her confession unless he falls twice or thrice within that time.

† *Very seldom.* The objector, who puts his argument in favor of the confessor in as favorable light as possible, can only say that he falls "very seldom, in comparison with the times he does not," or, in other words, that he seduces but few in comparison with the many he hears; but that he *does* seduce some in the Confessional, is admitted as a fact, both by the objector and respondent. I confess, after this, I should not like to have a pious wife. There are some indeed so often with the priest, that one would think them a sort of scape-goats, carrying all the sins of the family on their heads into the wilderness of the Confessional.

R. Neg cons. quia ille, licet non comparative, absolute tamen frequenter cadit; qui enim per singulos menses committeret duo vel tria injusta homicidia, diceretur absolute frequenter committere homicidium, ille Confessarius toties occidit animam suam.—*Dens*, tom. 6. p. 175.

*Answer.* I deny the consequence,\* because he, though not comparatively, *does*, however, *absolutely fall frequently*, for he, who would commit two or three unjust homicides every month, should be said absolutely to commit homicide frequently, so often does that Confessor slay his own soul.—*Dens*, v. 6. p. 175.

## DE JUSTIS CAUSIS PERMITTENDI MOTUS SENSUALITATIS.

*Justa causa est auditio confessionum.*

Quanta debet esse causa, ob quam quis se possit habere per-

## ON JUST CAUSES FOR PERMITTING MOTIONS OF SENSUALITY.†

*Hearing‡ of confessions is a just cause.*

How great ought to be the cause, for which one can hold

\* *Consequence.* The inference or conclusion.

† *Motions of sensuality.* By "motions" are meant "sensitive motions"—"motus sensitivi," as Dens himself explains it, sharp tingling sensations of sensual delight shooting through the body, and exciting to corporeal pleasures. Such, you are told, is the state of a Confessor hearing female confessions.

‡ *Hearing.* He admits, you perceive, that the carnal appetites of the priests are excited by hearing female confession, and that excitement he justifies. Is there no danger, then, in allowing a lovely woman, whose beauty might almost move any thing human, to prostrate herself at the feet of a man whose carnal appetites are provoked by his books of conscience, whose frame fired by her presence, and perhaps too, in some cases, by the burning nature of her details, wriggles upon his seat, throwing open before him the inmost recesses of her heart, and exhibiting to his coarse, vulgar and inquisitive gaze, thoughts and passions she would hide even from her husband, if she be married, from her mother, if she be not? Is there, I ask again, no danger in exposing, to an excited man,—a mere man, and often of the commonest stamp, for ever debarred from the legitimate possession of such charms, a lovely creature in all her beauty and in all her weakness too? Did the Confessors not take advantage of such opportunities, they should be something more or less than men; but that they are men—mere men—carnal men, with gross and vulgar passions, we have many and convincing proofs. Not only by sly, insidious questions, but by terror—the terror of denying absolution ("pudorem illum superandum esse, et nolenti denegandam esse absolutionem," Maynooth Class Book, Tract. de Pœn. p. 168.)—and what greater terror to a weak and superstitious mind?—the Confessor endeavors to overcome the best, the only faithful guardian of female honor—female modesty: teach that heaven-stationed sentinel but to slumber on his post, or cease to unfurl his crimson banner on her cheek, and it requires but small pains to scale the walls and take possession of the fortress. Independently of the immediate danger, the practice of female confession is abhorrent to every idea of female delicacy and honor. When a woman can sit without a blush a catechumen in impurity, her purity is gone.

missive ad motus inordinatos, sic ut illi motus non censeantur voluntarii nec culpabiles?

*R.* Debet esse tanta ut cum suo effectu homo in his circumstantiis prævaleat istis motibus seu effectu malo, juxta regulam N. 15 explicatam.

Hujusmodi justæ causæ sunt auditio confessionum, lectio casuum conscientiæ pro Confessario, servitium necessarium vel utile præstitum infirmo.

Justa causa facere potest, ut opus aliquod, ex quo motus oriuntur, non tantum licite inchoetur, sed etiam licite continuetur: et ita Confessarius ex auditione Confessionis eos percipiens, non ideo ab auditione abstinere debet, sed justam habet perseverandi rationem, modo tamen ipsi motus illi semper displiceant, nec inde oriatur proximum periculum consensus.—*Dens*, tom. 1. pp. 299–300.

In omni peccato carnali circumstantia conjugii sit exprimenda in confessione.

Aliquando interrogandisunt conjugati in confessione circa negationem debiti?

*R.* Affirmative: presertim mu-

himself permissively with regard to inordinate motions, so as that they may be considered neither voluntary nor culpable?

*Answer.* It ought to be so great as to prevail with its good effect in these circumstances, over those motions or the bad effect, according to the rule explained in No. 15.

Just causes of this sort are the hearing of confessions, the reading of cases of conscience drawn up for a Confessor,\* necessary or useful attendance on an invalid.

The effect of a just cause is such, that any thing from which motions arise, may be not only lawfully begun, but also lawfully continued: and so the Confessor receiving those motions from the hearing of confessions, ought not on that account to abstain from hearing them, but has a just cause for persevering, providing however that they always displease him, and there arise not therefrom the proximate danger of consent.—*Dens*, v. 1, pp. 299–300.

In every carnal sin, let the circumstance of marriage be expressed in confession.

Are the married to be at any time asked in confession about denying the marriage duty?

*Answer.* Yes: particularly the

\* *Confessor.* There is an admission for you! The cases of conscience drawn up for the use of the Confessor, are of such a nature as to excite the prurency of his carnal appetites merely by reading them!

lieres, quæ ex ignorantia vel præ pudore peccatum istud quandoque reticent: verum non WOMEN,\* who through ignorance or modesty are sometimes silent on that sin: but the ques-

\* *Women.* The following passage is taken from the Moral Theology in which the young priests are lectured in Maynooth: the reader will perceive that it is almost word for word the same with that selected from Peter Dens:—

*Quæres.* 1o. An teneantur conjuges reddere debitum?

Are man and wife bound to render each other matrimonial duty?

R. Teneri utramque conjugem sub mortali injustitiæ peccato comparti reddere debitum, dum vel expresse vel tacite exigitur, nisi legitima causa denegandi intervenerit. Id constat ex S. Paulo, 1 Corinth. 7.

Answer. Each is bound under a mortal sin of injustice to render matrimonial duty to his or her partner, whilst it is expressly or tacitly required, unless there should occur a legitimate reason for refusing. That's manifest from St. Paul, 1 Corinth, chap. 7.

Dixi autem 1o. *utrumque conjugem teneri*; in eo enim pares sunt ambo conjuges, ut patet ex verbis Apostoli.

But I have said that each is bound, for in this affair both man and wife are equal, as is clear from the words of the Apostle.

Dixi 2o. eos teneri *sub peccato mortali*, quia res est per se gravis, cum inde nascantur rixæ, odia, dissensiones, paræque debito fraudata incontinentiæ periculo exponatur: quod lethale est. Hinc Parochus aut per se in Tribunali Pœnitentiæ, aut saltem, et quidem aliquando prudentius piæ matris ministerio, edocere debet sponso et præsertim sponsas, quid in hac parte observandum sit. Cum vero mulieres ejusmodi peccata in confessione sacramentali præ pudore aut ignorantia non raro reticeant expedit aliquando de iis illas interrogare, sed caute et prudenter, non ex abrupto: v. g. inquiri potest an disidia fuerint inter eam et conjugem, quæ eorum causæ, qui effectus, an propterea marito denegaverit quod ex conjugii legibus ei debetur.—*Maynooth Class Book, Tract de Matrimo.* p. 482.

I have said in the second place, that they are bound under *mortal sin*, because it is a weighty affair in itself, since it is the active cause of quarrels, hates, dissensions, and since the party defrauded of duty is exposed to the danger of incontinence, which is a deadly sin: hence the Parish Priest, either himself personally in the Tribunal of Penance, (the Confessional,) or at least (and sometimes more prudently) by the agency of a pious matron, ought to inform married persons, and particularly married women, of what they should observe with respect to this matter. But since women through modesty or ignorance not unfrequently conceal sins of that sort in sacramental confession, it is expedient sometimes to interrogate them regarding those sins, but cautiously, prudently, not abruptly: for instance, it may be asked whether there have been any dissensions between her and her husband—what was the cause—and what the effect of them—whether she has on that account denied to her husband what is due to him by the laws of marriage.—*Maynooth Class Book, Tract on Matrimony,* p. 482.

Had I intended to seduce another man's wife, I should exactly follow the same prudent course, first cautiously asking whether she and her husband ever fall out, whether he ill-treats or defrauds her, &c. &c. The other questions are of such a character that I could not think of putting them to the vilest creature that ever walked the streets; but, however, as they refer to mortal sin, the married woman must not only listen, but give direct answers, or otherwise be denied the benefit of absolution; "for if she refuse to answer," says the Maynooth Class Book, "it does not appear that she can be excused from that perverse obstinacy which renders her unworthy of the benefit of absolution." (Si autem Pœnitens renuat..... non videtur illam excusari posse a perversa obstinatione, quæ absolutionis beneficio indignam reddit.—*Maynooth Class Book, Tract de Pœn.* p. 169.



ex ab abrupto, sed prudenter est interrogatio instituenda v. g. an cum marito rixatæ sint, quæ hujusmodi rixarum causa; num propter talem occasionem maritis debitum negarint; quod si deliquisse fateanter, caste interrogari debent, an nihil secutum fuerit continentiae conjugali contrarium, v. g. pollutio, &c.

*tion is not to be put abruptly, but to be framed prudently, for instance, whether they have quarrelled with their husbands: what was the cause of these quarrels; whether they did upon such occasion deny their husbands the marriage duty; but if they acknowledge they have transgressed, they ought to be asked chastely, WHETHER ANY THING FOLLOWED CONTRARY TO CONJUGAL CONTINENCE, namely, POLLUTION,\* &c.*

Hinc uxor se accusans in confessione quod negaverit debitum interrogetur, an maritus ex pleno rigore juris sui id petiverit; idque colligetur ex eo, quod petiverit instanter, quod graviter fuerit offensus, quod aversiones vel alia mala sint secuta, de quibus etiam se accusare debet, quia fuit eorum causa: contra si confiteatur rixas vel aversiones adversus maritum interrogari potest; an debitum

Hence let the wife accusing herself in confession of having denied the marriage duty, be asked whether the husband demanded it with the full rigor of his right; and, that shall be inferred from his having demanded it instantly, from his having been grievously offended, or from aversions or any other evils having followed, of which she ought also to accuse herself, because

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\* *Pollution.* What a question to put to a man's wife! I'd as soon have her hanged as that my wife should submit to such a question from any man that ever lived. If our women were not by *nature* amongst the most virtuous in the world, long since their hearts and souls would have been corrupted by such disgusting interrogatories; but God only knows how many soft, confiding ones have been sacrificed to the inordinate lusts of bepriested rustics. In the 4th volume we meet the following passage on female pollution, which, though not immediately referring to the present case, I have been induced to transcribe, in order to show the reader the ideas entertained and the language employed by Priests with respect to females—with respect, it may be, to his mother or his sister:—

Notatur, quod pollutio in mulieribus quandoque possit perfici, ita ut semen carum non effluat extra membrum genitale; indicium istius allegat Billuart, si scilicet mulier sentiat seminis resolutionem cum magno voluptatis sensu, quâ completa passio sentiatur.—*Dens*, tom. 4. p. 380.

It is remarked that women may be guilty of perfect pollution, even without a flow of their semen to the outside of the genital member (the passage;) of which Billuart alleges a proof, if, for instance, the woman feel a resolution (loosening) of the semen with a great sense of pleasure, which being completed, *her passion is satiated.*—*Dens*, v. 4. p. 380.

negaverit?—*Dens*, tom. 7. pp. 149–50.

Variis modis peccari potest contra bonum proles, scilicet 1o. peccant viri, qui committunt peccatum Her et Onan, quos, quia rem hanc detestabilem fecerunt, interfecit Dominus. Genesis 38.

2o. Peccant uxores, quas potionibus fœtus conceptionem impediunt, aut susceptum viri sensum ejiciunt, vel ejicere conantur.—*Dens*, tom. 7. p. 147.

Notent hic Confessarii, quod conjugati, ne proles nimium multiplicentur, aliquando committunt detestabilem turpitudinem, in similitudinem Her et Onan, circa quod peccatum examinandi sunt.—*Dens*, tom. 7. p. 153.

Ne Confessarius hæreat iners in circumstantiis alicujus peccati indagandis, in promptu habeat

she was the cause of them; on the other hand,\* if she confess that there exist quarrels and aversions between her and her husband, she can be asked, whether she has denied the marriage duty.—*Dens*, v. 7. pp. 149–50.

Sin can in various modes be committed against the good of the offspring:†

1stly. The men sin, who commit the sin of Her and Onan, whom, because they did this detestable thing, the Lord slew. Genesis 38.

2dly. The wives sin, who prevent the conception of the fœtus with potions, or eject or endeavor to eject the seed received from the man.—*Dens*, v. 7, p. 147.

Here let the Confessors take note, that the married, lest their children should multiply too fast, sometimes commit a detestable turpitude like that of Her and Onan, about which sin THEY ARE TO BE EXAMINED.—*Dens*, v. 7. p. 153.

Lest the Confessor should indolently hesitate in tracing out the circumstances of any sin, let

\* On the other hand. If she begin by confessing that she has at any time denied the marriage debt, she is led through the most disgusting interrogatories, under pretence of discovering whether her denial was followed with aversions between her and her husband; but if, on the other hand, she modestly begin by confessing the aversions, she is, notwithstanding, subjected to the same disgusting examination; in no case therefore can she escape "pollution."

† Quid est bonum proles?

† What does "the good of the offspring" mean?

R. Legitima proles generatio et ejusdem in veri Dei cultu educatio.—*Dens*, tom. 7. p. 146.

Answer. It means the legitimate generation of offspring, and the education of the same in the worship of the true God.—*Dens*, v. 7. p. 146.

hunc circumstantiarum versiculum:

Quis, quid, ubi, quibus auxiliis, cur, quomodo, quando.—*Dens*, tom. 6. p. 123.

An Confessarius potest absolvere sponsam, dum cognoscit ex sola confessione sponsi, quod sponsa in confessione reticeat fornicationem habitam cum sponso?

R. Varias reperio opiniones: La Croix, lib. 6. p. n. 1969, existimat sponsam non esse absolvendam, sed dissimulante dicendum: *Miseriatur tui*, &c. ita ut ipsa ignoret sibi absolutionem negari.

Prudentes Confessarii solent

hinc have the following versicle of circumstances in readiness:—

Quis,\* quid, ubi, quibus auxiliis, cur, quomodo, quando.—*Dens*, v. 6. p. 123.

Can. a Confessor absolve a young woman going to be married, whilst he knows solely from the confession of the betrothed husband, that she does not disclose in her confession the fornication she has been guilty of with her betrothed?

Answer. I find various opinions: La Croix thinks that she ought not to be absolved, but that the Confessor should *dissemble*, and say *Miseriatur tui*,\* &c. so that she may not know that absolution has been denied her.

Prudent Confessors are wont,

\* By the word "*Quis*," we are told, vol. i. p. 257, it is meant that the Priest should know the quality or condition of the penitent: whether maid, wife, or widow, &c.

By "*Quid*," the quantity, quality, and effect of the act.

By "*ubi*," the accidental quality of the place—whether sacred or profane, public or private; and here *Dens* takes occasion to say, that carnal sins, as fornication, &c. committed in the conversation-room or garden of a monastery, should not on that occasion be considered sacrilegious, from which it appears that, in religious communities or societies, the conversation-room and garden enjoy certain immunities or privileges. (*Si præfata peccata committerentur in locutorio aut horto monasterii non inde contraherent malitiam sacrilegii.*)

By "*quibus auxiliis*," the non-essential or accidental instruments and means, the partners or accomplices.

By "*quomodo*," the accidental mode of an action, which conduces to the goodness or badness of the action the "*modus quo actio posita est*," or manner in which the action has taken place.

By "*quando*," the quality and quantity or duration of time.

By "*cur*," the "*finis operantis*," the end proposed by the operator; the "*propter quid*," the why or wherefore.

The above circumstances are then summed up, and exemplified in the following chaste and edifying corollary:—"John, the Keeper of the Church, long intending to commit fornication with Anna, having called in his accomplices, violently snatches, from the hands of the Priest in the Church, the consecrated chalice of gold, in order that he may have money to commit the fornication with her, in consequence of which the people were not able to hear Mass on the Holy-day: till how many and what circumstances intervene in this case?"

\* *Miseriatur tui*. "The Lord have mercy on you," instead of "*absolve*, &c."

I absolve you, &c.

et statuunt regulariter inquirere ab omnibus sponsis, utrum occasione futuri matrimonii occurrerint cogitationes quædam inhonestæ? Utrum permiserint oscula, et alias majores libertates ad invicem ex eo, quod forte putaverint jam sibi plura licere?

*and lay it down regularly to ask from all young women going to be married, whether from occasion of their approaching marriage there occurred to them any improper thoughts? whether they permitted kisses and other greater alternate liberties, because perhaps they thought that greater freedoms would soon be allowed them?*

Cum verecundia soleat magis corripere sponsam, propterea solemus prius in confessione audire sponsum, ut sponsa postea confidentius exponat, quod novit jam esse notum Confessario.

And since the young woman is more under the influence of modesty, *we are wont for that reason to hear the betrothed\* husband's confession first, that she may afterwards more confidently reveal to the Confessor what she knows to be now known to him.*

Addunt aliqui, sponsum, qui prius confitetur, posse induci, ut dicat sponsæ, se peccatum illud aperte esse confessum. Post confessionem sponsæ id non licet

Some Divines add that the betrothed husband, who makes his confession first, can be induced to tell her that he has openly confessed that sin. After the

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\* *Betrothed.* Why all this ingenuity to extract the confession of this act from her? It is, or it is not necessary to a complete and valid confession. If it be necessary, and if the omission—the voluntary or involuntary omission of any mortal sin, as we are told in vol. vi. p. 103, renders the confession sacrilegious, and puts the penitent under the necessity of renewing her confession, (“proinde sacrilega est et iteranda,”) it follows that married women are subjected to a most disgusting and polluting examination on the circumstances of the conjugal act: but if they are not examined on those circumstances, and if the voluntary or involuntary omission of a mortal sin (for in the conjugal act there are four modes and some motives said to be mortal) does not render the confession of a married woman sacrilegious, why is all this ingenuity employed in confessing a young creature on the eve of her marriage? Why is she not left to herself? Why is it a rule with Confessors to hear her betrothed's confession first, lest the commission of the act may by any possibility escape the knowledge of his Reverence? Can his motives be exempt from suspicion? If a married woman, as some would persuade us, can omit perhaps three or four mortal sins without incurring the guilt of sacrilege, or invalidating her confession, why may not this young woman, through ignorance or modesty, omit one? Or if the omission of this one, through ignorance or modesty, invalidates her confession, how can a married woman be permitted to omit perhaps four? Utrum horum mavis accipe. I leave you to your choice.

amplius.—*Dens*, tom. 6. pp. 239, 40.

An licita est delectatio morosa de opere jure naturæ prohibito, sed sine culpa formali hic et nunc posito, v. g. delectatio de pollutione nocturna involuntaria?

*R.* Neg. quia objectum delectationis est intrinsecus malum, adeoque deliberata delectatio de ea est mala.

Multi tamen, ut Salmanticenses, Vasquez, Billuart, Antoine, &c. putant quod licet illicitum sit delectari de homicidio, ebrietate, &c. involuntarie commissis, illicitum tamen non sit, ob finem bonum de pollutione mere naturali et involuntaria delectari; vel affectu simplici et inefficaci eam desiderare.

Hujus sententiæ etiam est S. Antonius parte 2. tit. 6. cap. 5.

Dicitur "affectu simplici et inefficaci;" quia si desideretur efficaciter, ita ut ex desiderio pollutio causeretur, vel media, ut eveniat, adhibeantur, certum est juxta omnes quod sit peccatum mortale. Ratio horum Authorum est, quod pollutio mere naturalis et involuntaria nullo jure prohibeatur: cum sit effec-

young woman's confession, that would be no longer in the Confessor's power.—*Dens*, v. 6. pp. 239–40.

Is morose delight allowed on a thing prohibited by the law of nature, but here and now\* having taken place without a formal fault, for instance, delight on nocturnal involuntary pollution?

*Answer.* No, because the object of the delight is intrinsically bad, and therefore deliberate delight respecting it is also bad.

Many, however, as Salmanticenses, Vasquez, Billuart, Antoine, &c. think that although it is unlawful to delight on homicide, drunkenness, &c. involuntarily committed, it is not unlawful however, on account of the good end, to delight on merely natural and involuntary pollution, or to desire it with a simple and inefficacious affection.

Of this opinion also is Saint Anthony,† part 2. tit. 6, chap. 5.

They say "with a simple and inefficacious affection," because if it be desired efficaciously, so as that the pollution be caused by the desire, or means employed that it may happen, it is certain according to all that it is a mortal sin. The reason of these authors is, that pollution merely natural and involuntary is

\* i. e. in the supposed case.

† *St. Anthony.* There is an old beast of a saint for you, longing for nocturnal pollutions!



tas mere naturalia, seu mera naturæ evacuatio, ut sudor, saliva, &c., ac proinde nequidem materialiter seu objective mala, unde illam ut talem inefficaciter velle non est peccatum.—*Dens*, tom. 1. p. 310—11.

Quid est morosa delectatio ?

*R.* Est voluntaria complacentia circa objectum illicitum absque voluntate implendi seu exequendi opus.

Vocatur "morosa" non a mora temporis, quo durat; nam unico instanti perfici potest; sed a mora rationis, quæ delectationem hanc, postquam eam advertit, repellere negligit; et sic ratio est in mora fungendi suo officio. Potest etiam dici, quia ratio ei moratur absque voluntate procedendi ad ipsum opus.

In qua materia hæc delectatio locum habet ?

*R.* Quamvis delectatio morosa frequentius contingat circa venerea, locum tamen habere potest in quacumque materia, ut circa furtum, pugnam, vindictam, &c.—*Dens*, tom. 1. p. 303.

An persona conjugata peccat delectando venereæ de copula vel tactibus cum comparte habitis aut habendis, si compars sit absens tempore delectationis, in-

prohibited by no law; since it is a merely natural effect, or a mere evacuation of nature, like sweat, saliva, &c. and therefore it is by no means materially or objectively bad; whence it is not a sin to wish for it inefficaciously as such.—*Dens*, v. 1. p. 310—11.

What is "morose delight?"

*Answer.* It is a voluntary complacency about an illicit object without a wish of performing or executing the work.

It is called "morose," not from the delay (mora) of time during which it lasts, for it may be complete in an instant, but from the delay of reason, which neglects to repel this delight after it has perceived it; and thus reason delays in discharging its own office. It can also be called "morose," because reason dwells on it without a wish of proceeding to the work itself.

In what matter does this delight take place ?

*Answer.* Although morose delight more frequently happens about venereous matters, however it can take place in any matter whatsoever, as about theft, about fighting, about revenge, &c.—*Dens*, v. 1. p. 303.

Does a married person\* sin in delighting venereously on copulation or on touches, which she has had or is to have, if at the time of the delight her partner

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\* *Married person.* Male or female, as the case may be.

*firma, &c., adeo ut copula hic et nunc sit impossibilis?*

*R.* Si delectando se exponat periculo pollutionis, certo peccat mortaliter, contra castitatem, et etiam contra justitiam. Si vero absit periculum pollutionis, Sanchez, Sylvius, Steyart et Daelman eam a mortali liberant, quia honestas status matrimonialis videtur talem delectationem a mortali excusare. Alii tamen probabilius similem delectationem censent mortalem, ut Navarrus, Billuart, Collet, Antoine, &c.—*Dens*, tom. 1. p. 315.

An quispiam voto castitatis obstrictus facit contra suum votum, si aliis personis liberis sit causa libidinis, v. g. si consulat aliis, ut illi inter se fornicentur?

*R.* Peccat peccato scandalii, et fit reus fornicationis illorum; verum tamen non videtur violare votum proprium mere ob fornicationem aliolem, si absit complacentia propria, quia non vovit servare castitatem alienam, sed propriam, sicuti conjugatus id

be absent or infirm, &c. so as that copulation be here and now impossible?

*Answer.* If in delighting she expose herself to the danger of pollution, she certainly sins mortally against chastity and also against justice. But if there be no danger of pollution, Sanchez, Sylvius, Steyart and Daelman free her from mortal sin, because the honesty of the matrimonial state seems to excuse such delight from mortal sin. Others, however, as Navarrus, Billuart, Collet and Antoine, &c. think with more probability that such delight is a mortal sin.\*—*Dens*, v. p. 315.

Does any one bound by a vow of chastity act against his vow if he be the cause of lechery to others, who are free from such vow: for instance, if he advise others to commit fornication with one another?

*Answer.* He is guilty of the sin of scandal, and stands arraigned of their fornication; however, he does not seem to violate his own vow merely on account of the fornication of others, if he feel no complacency himself; because he has made

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\* Therefore must be told in confession.

† *Complacency.* If his mind dwell not with delight upon the pleasure accompanying the act, for that is the meaning of "si absit complacentia propria." This reminds me of the reasoning of an old procuress incapacitated by age from participating herself in sexual pleasures: having been introduced to a young gentleman, who felt a strong impulse to increase and multiply, she faithfully executed her commission, but being subjected for her conduct to the reproaches of her neighbors, she very casuistically replied, "Yeigh, what did I do? Sure tisn't me be

consulens non peccat contra fidem matrimonii sui.

*no vow to preserve the chastity of others, but his own, just as a married man advising it does not sin against the faith of his matrimony.*

*Obj.* Vovens castitatem vovet non co-operari aut consentire ulli peccato contra castitatem.

*Obj.* He that makes a vow of chastity vows not to co-operate with, or consent to any sin against chastity.

*R.* Id negatur.†—Dens, tom. 4. p. 377.

*Answer.* THAT IS DENIED.—Dens, v. 4. p. 377.

Quantum est peccatum exercere actum conjugalem ob solam voluptatem?

How great is the sin to exercise the conjugal act solely for pleasure?

*R.* Cum S. Aug. et S. Thom. Suppl. q. 49. a. 6. in corp. esse solummodo ex natura sua veniale; quia hæretur, ut supponitur, intra limites legitimi matrimonii; potest tamen esse mortale ratione finis, vel aliarum circum-

I answer with St. Augustine and St. Thomas, (Suppl. 49. &c.) that it is only venial in its own nature, because it is fixed, as is supposed, within the limits of legitimate matrimony; however it may be a mortal sin by reason

has; its a LONG TIME NOW SINCE I THOUGHT OF SUCH A THING. Yafra, the crathurs are young; wisha, what harm is it to bring them together and make them happy?" Would you not think she took a lesson from Peter Dens? She felt no complacency herself, but she brought the young couple together, and advised them to commit fornication.

\* *No vow.* According to this doctrine, a mother-abbess (if she could but avoid scandal) may keep a brothel, and nuns and monks be the procurers: and indeed it has been told me by a gentleman on whose veracity I can depend, that when he served in Spain, under the Duke of Wellington, the monks and friars were ever ready to offer their services in this way; that he knew one of them to have proposed the thing to his own son, who served in the same regiment with him, and that a little before the appointed time he came into the officer's cell (the military were quartered in the monasteries) to ask whether it was a girl or a boy he wished him to bring him. Perhaps the above passage from Dens may serve as an answer to the Duke of Norfolk, who, on the debate on Irish Education, (EVENING MAIL, 15th Feb.) "wished to know from the Bishop of Exeter if he thought the morals of the Gospel were not propounded and inculcated as well by Monks and Roman Catholic Priests, as by those of the Protestant persuasion;" or, perhaps his Grace could name some book undertaken and published with the authority of Protestant Bishops, as a guide for their Clergy, which teaches that not only they, but persons bound by vows of chastity, may become pimps or panders, and advise others to commit fornication.

† *Id negatur.* The impersonal gives this denial a peculiar force; it isn't I deny it, or St. Thomas or any other Saint denies it, but IT IS DENIED sc. ab omnibus, IT IS DENIED BY THE CHURCH. Here then, you perceive, if it can be done without scandal, Priests and Friars, Monks and Nuns are taught that they consent to co-operate with, and advise others to commit fornication. In reading the "COMPLUTE THEOLOGY," it appears that even this has been done in the Confessional.

standerum: puta si v. g. vir ita voluptate captus sit, ut accedens ad uxorem, paratus sit ad eam accedere, licet uxor non foret, vel si tempore actus conjugalis affectum et delectationem habeat erga aliam, cujus etiam qualitates tunc erunt in confessione exprimendæ, puta quod sit conjugata, consanguinea, &c., idque præcipue est cavendum in bigamis, ne dum copulatur conjugi secundæ, affectum ponat in priori.

of the end, or other circumstances; suppose for instance, if the man\* were so seized with pleasure, that, going to his wife, he were ready to go to her, though she were not his wife, or if, at the time of the conjugal act, he have his affection and delight towards another, whose qualities also (i. e. as well as the foregoing circumstances) shall then (in that case) be expressed in confession, suppose that she is married, that she is his blood-relation, &c. and this is particularly to be guarded against in those who are married a second time, lest, whilst he is copulating with his second wife, he may fix his affection on the first.

\* *Man.* What is written in the above extract equally applies to the wife. Not being Turks but Christians, we admit she has equally a soul to be saved. That which is an innocent or legitimate act in its own nature, may become in her case too "a mortal sin by reason of the end or circumstances;" for instance, if the wife waiting the approach of her husband, be so overpowered with delight or anticipated pleasure, as to be ready to admit him, at that critical juncture, even if he were not her husband, or if, during the act, she dwell with delight on some handsome young fellow she has danced or played with, or has heard making a speech, it may be, at the arena, or if she should sacrilegiously fix her delight on even her confessor himself, and wish him, if it were but once, a layman; or if, supposing her married a second time, she recall the memory of her former husband, compare their respective merits, decide that he was the better man, heave a long-drawn sigh, and fix her delight accordingly on him. Now as those circumstances are mortal sins, and as the voluntary or involuntary omission of any one of them, whether from ignorance ("ex ignorantia,") or forgetfulness ("oblivione,") or error, ("vel errore,") is a mortal sin in the very receiving of the sacrament, ("in ipsa susceptione sacramenti"—Dens, tom. 6. p. 103,) and as "women from ignorance or modesty not unfrequently omit such sins" (præ pudore aut ignorantia non raro reticeant," Maynooth Class Book, Tract de Matrim. p. 483,) the Confessor will do his duty, (si alterioribus interrogationibus detur locus, ministerium suum implebit Confessarius—Class Book, De Præ. Decal. p. 229,) will, of course, put his questions, and, despite of all her modesty, save her soul alive.

The Maynooth Class Book likewise (Tractate on Matrimony, p. 480) says, that if the exercise of the conjugal act be so immoderate as to injure ("si immoderata sit ac noceat") the health of either party ("valetudini sive exigentis debitum sive redditus,") it is a *deadly sin* ("lethatis est.") Therefore as such it necessarily becomes a subject of confession, the voluntary or involuntary omission of which would render the confession sacrilegious. Delicate subject of examination, surely, for a newly married woman, whose husband's, or whose own cheeks, perhaps, have become pale at the end of the honey-moon! Or if it be so frequent as to

An liceat actum conjugale exercere partim ob debitum finem, puta generationem prolis, et partim ob delectationem?

*R.* Negative: quia tunc finis equidem partialiter est inordinatus, cum ex parte obediatur libidini, sic que partialiter invertitur ordo a Deo et natura constitutus.—*Dens*, t. 7. p. 163.

An licitum est petere debitum conjugale ex solo fine vitandi propriam incontinentiam, non concurrente fine generationis prolis, vel redditionis debiti?

*R.* Pontius cum multis aliis affirmat, sed melius cum SS. Augustino et Thoma videtur negandum.—*Dens*, tom. 7. p. 164.

Conjugatis proponi potest: an pacifice vivant? An honesto modo utantur matrimonio? An periculo pollutionis sese exposuerint? An proles Christiane educent?

Circa quæ specialiter examinari possunt adolescentes ætatis circiter viginti annorum, sati vegeti et mundani, vel potui dediti?

*R.* Circa peccata luxuriæ

Is it lawful to exercise the conjugal act partly for the due end, namely, the generation of offspring, and partly for delight?

*Answer.* No, because then indeed the end is partially inordinate, since in part obedience is given to lust, and thus the order appointed by God and by nature is partially inverted.—*Dens*, v. 7. p. 163.

Is it lawful to ask conjugal duty solely with the end or view of avoiding incontinence in one's self, and without the concurring end of generating offspring or of rendering duty?

*Answer.* Pontius and many others say Yes, but it seems better to say No with St. Augustine and St. Thomas.—*Dens*, v. 7. p. 164.

To the married it can be proposed: whether they live peaceably? Whether they enjoy matrimony in an honest way? Whether they have exposed themselves to the danger of pollution? Whether they bring up their children like Christians?

About what can young men be specially examined at the age of about twenty years, sufficiently vigorous and like many men of the world, or given to drink?

*Answer.* About the sins of

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interfere with the time of praying; ("Si ita frequens sit ut impediat tempore quæ debentur orationi;") or if, according to St. Thomas, who appears to be a great connoisseur in such matters, either of the parties fix his or her intention upon any, but his or her immediate partner in the act. ("Si conjux aliam non conjugem intendit.")



*primo per generales interrogationes et a longinquo: v. g. an pœnitens frequentet personas alterius sexus? Si concedat; an sint dicta quædam verba honesta? Quid secutum? &c. Si neget, potest inquiri: An aliquando vexetur inhonestis cogitationibus vel somniis? Si affirmet, ad interrogationes ultiores progredi oportet.*

*Eadem prudentiæ forma observabitur circa adolescentulam vel mulierem vane compatum.—Dens, tom. 6. p. 125.*

luxury, first by general questions and from afar: for example, whether the penitent frequents persons of the other sex? If he allow that he does; whether any improper words were said? What followed? &c. If he answer in the negative, it can be asked; whether he is at any time tormented with improper thoughts or dreams? If he say Yes, it is fit to proceed to other questions.

The same form of prudence shall be observed about a *young girl\** or a *woman vainly decked*.—*Dens, v. 6. p. 125.*

\* Here then we are told what sort of examination young girls and fine ladies undergo in the Confessional: they are examined on the sins of luxury. But what are those sins? What is luxury, or how is it defined? In the first volume, p. 350, luxury is defined "*an inordinate appetite for venereal pleasures—(Quid est luxuria? R. Est inordinatus appetitus venereorum;)*" and thus we are informed, on unquestionable authority, that young girls and fine ladies are interrogated on their inordinate appetite for venereal pleasures. Well, but what are the sins which come under this head, or how is this luxury divided? In the fourth volume, p. 360, we find it divided into seven species: 1st, Simple Fornication; 2d, Stupration, which he defines (p. 370) to be the deflowering of a virgin—a pure virgin, who never lost the seal of her virginity by carnal copulation, or any other equivalent unchaste act"—(*quæ signaculum virginale non amisit per carnalem copulam, vel forte per alios æquivalentes impudicos actus.*) 3d, Rape; 4th, Adultery; 5th, Incest; 6th, Sacrilege; 7th, Vice against nature. Well then, after having ascertained that the penitent is a young girl or fine lady, which is in the present case supposed, she is then asked whether she frequents or associates with young men? Whether any immodest words were spoken, or indelicate songs were sung by her? what followed? But if this young girl or fine lady has unfortunately made a slip, as young girls and fine ladies sometimes do, the Confessor is prepared for the attack with his versicle or hexameter of circumstances, of which only two have as yet been brought into requisition. The "quis" and "quid," Who and What, are the two answered. Then comes the "ubi," or Where? At home or abroad? In the house or in the open air? He next calls up the "quibus auxiliis" to his aid. With what accomplices? What means? What aids? Then the "cur," Why or Wherefore? And then the "quomodo"—a word of more importance in the Confessional than all the rest put together, for now, indeed, the young Confessor has a great and splendid opportunity of displaying his *wonderful* proficiency in MORAL THEOLOGY! O, he has her at last on the 5th species of luxury against nature, "which is committed when the connection takes place standing, sitting, or from behind, as horses do it (*sicut equi congregiuntur*, v. 4. p. 350,) or when the man lies undermost," and consequently the woman lies uppermost; and as attitude is every thing even in this, she is put through a very interesting examination on the five positions; for in the Confessional, as in the dancing-school, she has to go through her positions, of which, however, she is told on the authority of

## DE PECCATIS CAR- ON THE CARNAL NALIBUS CONJU- SINS WHICH MAN GUM INTER SE. AND WIFE COM- MIT WITH ONE

Certum est, conjuges inter se peccare posse. etiam graviter contra virtutem castitatis, sive continentiæ, ratione quarundam circumstantiarum; in particulari

### ANOTHER.

It is certain that man and wife can sin grievously against the

Peter Dens, (and what better authority!) the preference is to be given to the first, as being the easiest and most natural, and consequently the most graceful. But as Patrick Woods, Presbyter, says in the Directory, "Dominum Dens auctorem sequentes discutimus," "following the authority of Mr. Dens," who appears from the internal evidence of his book to have understood the nature and efficacy of the positions, as well practically as theoretically, "we shall here discuss or arrange" the five positions according to their order. The first and natural position is, that the women lie underneath the man, "ut mulier succumbat viro:" the 2d, when they come to it on their sides; "a latere:" the 3d, to take her from behind, "a retro," or "a prepostero:" the 4th, sitting or standing, "stando vel sedendo:" the 5th, that the man lie underneath, "ut vir sit succubus." What a word! Having taken the poor creature perhaps through all the positions, (for through modesty or ignorance she'll wait of course to be asked,) in order to discover the "quemodo," the mode or manner of her offence, without a full disclosure of which, according to the Maynooth Class Book, "her confession would be sacrilegious and unworthy of absolution," the whole is wound up with a "quando"—a When? or How long? which, though not affording an opportunity for many *Theological interrogatories*, may nevertheless afford his Reverence as favorable opportunity for some very interesting practice. But if the girl has not as yet made a slip, and is ignorant of all the positions, except only as far as instinct informs her, which, if I mistake not, will never take her beyond the first position, she is then examined about her thoughts and dreams—and a very queer girl indeed she should be, if in the heyday of youth and beauty, in all the gaiety of an innocent but laughing heart, she had not, now and then, some merry thoughts and pleasant dreams: if to this last question she say Yes, as indeed she must, she is then interrogated by some young Priest, who in the Confessional luxuriates in his newly-acquired privilege of addressing respectable females,—whether she has had any carnal commotions, (*circa partes pudendas*,") and whether she indulged them? But as those desires, or commotions if you will, form part of her nature, and were given her for wise purposes by Him who understood his own great designs much better than Dens, or the Pope, or the Councils, she must say Yes to this question too. Now then the Confessor has an opportunity of throwing in a very interesting question, from which no bashfulness can save her; for according to the Maynooth Class Book, "HER MODESTY MUST BE OVERCOME," (*Pudor ille vincendus*), and she must learn not only to hear, but answer the most shameful interrogatories without even a blush, since "her confession were *sacrilegious*, if cut short from so vain a motive," (*sacrilega foret confessio que ex tam vano motivo decurtaretur*—Maynooth Class Book, Tract. de Pœn. p. 164.) He gets her, at last then, on excitement by touches, and asks whether she has "destroyed the material integrity of her virginity by a violent penetration of the passage with her finger or any other instrument;" for according to Dens, (v. 4. p. 363,) there are three ways of losing virginity: 1st, by carnal copulation, "*per carnalem copulam*:" 2d, by a libidinous resolution of the seminal fluid, "*per libidinosam resolutionem seminis*:" 3d, by a violent penetration of the passage with her finger or any other instrument, "*per violentam penetrationem vasis digito aut alio instrumento*." From the same chapter it appears those pure ladies, the nuns, must answer like questions before they can receive the veil of profession or con-

namque definire, quæ sunt mortales, quæ solum veniales, per obscurum est, nec eadem omnium sententia; ut vel ideo sollicitè persuadendum sit, conjugatis, ut recordentur se esse filios Sanctorum, quos decet in sanctitate conjugali filios procreare. Quidam Authores, circumstantias circa actum conjugalem præcipue observandas, exprimunt his versibus:

"Sit modus, et finis, sine damno, solve, cohere.  
Sit locus et tempus, tactus, nec spernito votum."

virtue of chastity or continence, with regard to certain circumstances relating to the use of their bodies; but to define particularly what are mortal, what only venial, is a matter of very great difficulty, nor are all writers of one opinion on the subject; so that, even on that account, the married, ought to be anxiously advised to recollect that they are the children of the saints, and should therefore beget children in conjugal sanctity. The circumstances which are chiefly to be observed in the performance of the conjugal act, some authors express in the following verses:

Let the posture be such as best suits the great end,  
For which nature ordains that the sexes shall blend.  
The debt duly pay when your vigor's excited,  
By touches well-aim'd till your marrow's ignited.  
A place well-selected your powers to expend,  
Cohere in embrace till you perfectly spend.  
The time too deserves some trifling attention,  
But of fluor and of births I've already made mention.  
Without loss to the parties, engage in the task,

separation from the hands of a Bishop; "Sic corrupta possunt accipere velum professionis, sed non velum consecrationis ab Episcopo." And thus it appears that even the meekest of our Bishops must put such questions to females, and receive direct or positive answers, before he can give the veil of profession or consecration. If we believe that the priest can not reveal the sins he has heard in confession, the Bishop can not discharge his duty in this respect by proxy. Although perhaps he may employ his Chaplain to put the interrogatories or to take a microscopic view, and, with the consent of the ladies, to pass on the result of his observations, "with and under the seal," to the ears of his Lordship. As girls, who have lost their material virginity, by natural or artificial means, can not receive the veil of consecration from the hands of the Bishop, the aspirant to that high honor—to that demi-canonization, must answer some delicate questions, or perhaps submit to a more delicate examination, before her pretensions to consecration can be fully determined. I believe our nuns are all professed.

To the husband or wife, or the babe in the cask.

When bound by a vow,\* to the act don't entice,  
But if tempted to yield, fall to work in a trice.

Ergo debet servari modus, sive situs, qui dupliciter invertitur, 1o. ut non servetur debitum vas, sed copula habeatur in vase præposito, vel quocumque alio non naturali; quod semper mortale est spectans ad sodomiam minorem, seu imperfectam, idque tenendum contra quosdam laxistas, sive copula ibi consummetur, sive tantum inchoetur consummanda in vase naturali.

Therefore method or posture ought to be observed, which is inverted in a two-fold way: 1st, when the proper passage or vessel is not kept, but the connection takes place in the hinder passage or vessel, or in any other not ordained by nature for that purpose, which is always a mortal sin, tending to that which is called minor† or imperfect sodomy, and this must be held against certain Divines of loose

\* *Vow.* The interpretation of "nec spernito votum" is taken from Dens himself, who thus explains his meaning: "Habens tale votum (sc. castitatis) non potest petere debitum.... Tenetur reddere debitum petenti"—v. 7. p. 155, which is exactly the same as in the translation. To the English reader it is necessary to say, that, although there are only two lines in the Latin, and twelve in the English, there is not an idea in one that is not in the other.

† *Minor sodomy.* In the fourth volume, he divided sodomy into two species, perfect and imperfect, or minor.

Quid est sodomia perfecta?

R. Est congressus carnalis inter personas ejusdem sexus, nimirum masculi cum masculo, feminae cum femina, in quocumque vase congressus fiat.

Sodomia imperfecta, sive sodomia minor est congressus carnalis maris cum femina, sed extra vas femineum naturale, v. g. si vir effundat semem sum retro per anum in intestinum stercoreum feminae.—Dens, tom. 4. p. 379.

What is perfect sodomy?

Answer. It is carnal congress between persons of the same sex, namely, of a male with a male, of a female with a female, in whatever vessel the congress may take place.

Imperfect or minor sodomy is the carnal congress of a male with a female, but without the natural vessel of the female, for instance, if the man discharge his semen behind through the anus into the stercoreous intestine of the woman.—Dens, v. 4. p. 379.

"Chapeauville, Braunman, P. Pau, and other Divines exclude, from reservation, minor sodomy, or that which is committed between persons of a different sex, for instance, when a man has connection with his wife in the hinder vessel; because, according to St. Thomas, it is not sodomy strictly and properly so called." What nice distinctions! what splitting of hairs! But on this subject we shall have a little more of St. Thomas' morality by and by. "Chapeauville, Braunman, P. Pau alike excludunt a reservatione sodomiam minorem, quæ scilicet committitur inter personas diversi sexus, quæ v. g. vir congregitur cum uxore in vase præposito; quia juxta S. Thomam, non est sodomia strictè et proprie dicta.—Dens, tom. 6. p. 285." Here we have an opportunity of forming some estimate of the morality of the Church of Rome, and her Saints and her Doctors: if a man commit sodomy with his wife, or any other woman, it does not constitute a reserved case, on the high authority of Saint Thomas and other Doctors. On the authority of

opinions,\* whether the connection be consummated there (in the improper passage) or be only begun there to be consummated in the natural passage.

Modus sive situs invertitur, ut servetur debitum vas ad copulam a natura ordinatum, v. g. si fiat accedendo a præpostere, a latere, stando, sedendo, vel si vir sit succumbus, Modus si mortalis est, si inde suboriatur periculum pollutionis respectu alterius, sive quando periculum est, ne semen perdat, prout sæpe accidit, dum actus exercetur stando, sedendo, aut viro succumbente: si absit et sufficiuntur præcaveatur istud periculum, ex communi sententia id non est mortale: est autem veniale ex gravioribus, cum sit inversio ordinis naturæ; est que

Method or posture is inverted, though the connection take place in the passage or vessel appointed by nature for that purpose, for instance, if it be done by an attack from behind,† or when the parties are on their sides, or standing, or sitting, or when the husband lies underneath his wife. This method of doing it is a *mortal sin*, if there should therefrom arise‡ to either party a danger of pollution, or of losing the seed, a thing which *often happens*|| when the act is performed standing, or sitting, or the husband lying underneath;

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St. Thomas! a Saint now in heaven!! one of those holy ones to whom the people are taught to address their prayers!!! But if a man "knowingly read or retain, imprint, or carry about, in any way whatsoever, books containing the heresy of heretics and apostates, or treating of religion, he is EXCOMMUNICATED WITH AN EXCOMMUNICATION RESERVED TO THE SUPREME PONTIFF." *Scienter legentes, aut retinentes, imprimentes, seu quomodo libet deferentes libros Hæreticorum et Apostatarum hæresim continentes, vel de Religione tractantes excommunicantur excommunicatione Pontifici reservata.*—*Dens*, t. 6. p. 307.

\* *Loose opinions.* The wretched word "laxistæ" does not occur in any dictionary that I have met; however, I think I have given its meaning.

† *From behind.* These attitudes or postures are ranked in the 4th vol. p. 380, under what he calls the 5th species of luxury against nature:—"The 5th species of luxury against nature is committed when indeed the connection takes place in the natural vessel of the woman, but after an undue mode; for instance, standing, or whilst the man lies underneath, or has knowledge of the woman from behind, as a horse connects with a mare, although it be in the woman's natural vessel." Quinta species luxuriæ contra naturam committitur, quando quidem copula masculi fit in vase femine naturali; sed indebito modo, v. g. stando, aut dum vir succumbit, vel a retro feminam cognoscit, scut equi congregiuntur, quamvis in vase femineo, vel. 4. p. 380.

‡ *Therefrom arise.* He tells us in the 4th volume, p. 380, that "These modes introduce mortal sin according to the danger of losing seed; for this reason, to wit, that the seed of the man can not commonly be discharged aptly all the way up into the womb of the woman." Possunt autem hi modus inducere peccatum mortale juxta periculum perdendi semen, eo quod scilicet semen viri communiter non possit apte effundi usque in matricem femine.—*Dens*, tom. 4. p. 380.

|| *Often happens.* How did he know? It must be from practice or inquiry.



generatim modus ille sine causa taliter coeundi graviter a Confessariis reprehendendus: si tamen ob justam rationem situm naturalem conjuges immutent, secludaturque dictum periculum nullum est peccatum, ut dictum est in numero 48.

*Minuitur periculum, perdendi semen, si verum sit, quod dicunt Sanchez, Billuart et Preinguez, scilicet quod in matrice sit naturalis vis attractiva seminis, ut in stomacho respectu cibi.*

*Nota quod in prefatis modis, non tantum peccetur contra castitatem, sed etiam contra justitiam, juxta dicta Num. 45; ita*

but if that danger be sufficiently guarded against, it is not, in the common opinion of Divines, a mortal sin: yet it is one of the weightier sort of venial sins, since it is an inversion of the order of nature; and in general, that method of thus coming to coition *must, when without sufficient cause, be severely censured\* by the Confessors*: if, however, man and wife, for some just reason,† change the natural posture, and if the aforesaid danger (of losing the seed) be secluded, there will be no sin, as has been said in number 48.

The danger of losing the seed is lessened, if that be true which is said by Sanchez, Billuart, and Preinguez, to wit, that the womb has a natural power of attraction with respect to the seed, as the stomach has with respect to meat.

Take note, that in the aforesaid ways the parties sin not only against chastity, but even against justice, according to what has

\* *Severely censured.* "And although perhaps the married say that they diligently guard against that danger, (of losing seed,) in the mean time those lascivious modes ought not to be excused from a heavy venial sin, unless perhaps through impotence, namely, on account of the wife's crookedness, the natural posture and mode can not be kept, which is that the woman lie under the man." Et quamvis forte conjuges dicant, quod illi periculo diligenter præcaveant, illi interim lascivi modi a gravi veniali excusari non debent, nisi forte propter impotentiam, v. g. ob curvitatem uxoris asqueat servari naturalis situs et modus, qui est ut mulier succumbat viro. — *Dense*, tom. 4. p. 380.

† *Reason.* Besides a crooked back, there is another reason, namely, heavy pregnancy, for which, he says, the Clergy may permit women to perform the act from behind. "If there be no danger of losing seed from a change of posture, they may lawfully meet in this way, (from behind) if that change take place through necessity, namely, lest the fetus be suffocated." Si non subit perditionis periculum, ex immutatione situs, poterunt licite sic congruere, si mutatio illa ex necessitate fiat, q. v. ne fetus suffocetur. — *Dense*, v. 7. p. 154.

ut. actus illi induant quendam malitiam ad alterum, præter peccatum mutui scandali.

Debet finis esse legitimus, de quo et quomodo ratione finis peccari possit, dictum est Num. 51. et sequentibus.

Per particulam "sine damna" importatur cavendum esse damnum tum proliis conceptis et concepiendis, tum ipsorum coelegendientium, de quibus egimus Num. 47.

Verbum "solve" importat obligationem solvendi sive reddendi debitum legitime petitum, de qua obligatione diximus Num. 46. et sequentibus.

Per verbum "cohere" intelligitur coherencia usque ad perfectum copulam, seu seminationem perfectam, ita ut per se mortale sit, inchoatam copulam abruptum, propter periculum pollutionis in utraque vel alterutra parte: Sanchez, Pontius, Billuart et alii dicunt quidem, id tantum esse veniale, si cessante omni periculo pollutionis in utroque, fiat ex mutuo consensu, antequam saltem femina seminaverit; sed ipsi fatentur periculum illud o dinarie subesse.

been said in No. 45; so that those acts invest themselves, as it were, with the malice of adultery, besides the sin of mutual scandal.

The "end" ought to be legitimate, concerning which, and in what manner the parties may commit sin with regard to the end, we have treated in No. 51, and those following it.

The words "without loss" import that care must be taken that no injury be done to an offspring already conceived, or that about to be conceived, or to the parties themselves meeting in the act of coition, concerning which we have treated in No. 47.

The word "pay" imports the necessity of paying the debt when legitimately asked, concerning which we have treated in No. 46, and those following it.

By the word "cohere" is understood the necessity of coherence or of sticking close till the act of copulation is perfected, or until the parties spend completely, so that it is in itself a mortal sin to break off an act of coition when commenced, on account of the danger of pollution in both or either of the parties; Sanchez, Pontius and other Divines say, that if the act be broke off without danger of pollution in both, and by mutual consent, at least before the woman spends, it is only a venial sin, but those writers themselves

Locus debet esse actui conjugali proportionatus, adeoque non publicus, seu talis, in quo ab aliis videatur, et sic potest esse mortalis ratione scandali, prout etiam ratione sacrilegii, si sit locus sacer. Vide Num. 48.

Quomodo ratione temporis in actu conjugali peccari possit. Vide Num. 47.

Quoad tactus libidinosos, quos conjugati exercent erga corpus alterutrius, ii sunt mortaliter mali, si fiant cum pollutione alterius, vel ejus periculo.

Si absit periculum pollutionis, et ordinentur ad copulam, tunc vel ad eam necessarii sunt, et sic non sunt peccaminosi, vel non sunt ad eam necessarii et erunt venialiter mali, quia solius causa voluptatis haberi supponuntur.

Si tactus illi, secluso pollutionis periculo, non referantur ad copulam, non ita conveniunt Authores; docent plerique, quod si sint adeo

admit that to cut short the act is ordinarily attended with that danger.

The place ought to be proportioned to the conjugal act, and therefore not public, nor such as that the act may be seen by others, and thus it may be a mortal sin by reason of the scandal, as also by reason of sacrilege, if the place be sacred. See No. 48.

How, with regard to the circumstance of time, sin may be committed in the conjugal act. See No. 47.

As to the libidinous touches which the married practice on the body of one another, they are *mortally sinful* if they are done with pollution, or with danger thereof.

If there be no danger of pollution, and if they be done in order to copulate, then they either are, or are not necessary for that purpose; if they are necessary, they are not sinful: if they are not necessary they are venially sinful, because they are supposed to be practised for the sake of pleasure alone.

If those touches,\* though the

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\* The same obscenities are inculcated in the Class Books at Maynooth, from one of which the following passage on the doctrine of touches is extracted:—

Quid sentiendum sit de tactibus obscenis inter conjuges?

R. Samborius ea de re consultus reposuit 1o. tactus inhonestos, si exercentur cum periculo pollutionis esse peccata lethalia. 2o. Eos nullatenus esse peccata si absque pollutionis periculo adhibeantur ut necessarii ad usum

What must be thought about obscene touches between man and wife?

Answer. Samborius having been consulted on that affair, replied—1st, that dishonest touches, if they be exercised with danger of pollution, are deadly sins. 2d, that they are not sins at all, if, without danger of pollution, they be

infames, ut nequidem ex copulæ intuitu excusentur a gravi peccato, eos esse mortaliter malos, si vero sint tactus ordinarii, nec diu in eis sistatur, docent plurimi contra eosdem esse tantum venialiter malos; quia voluptas illa non quæritur extra limites Matrimonii.

Tactus libidinosus proprii corporis in uno conjuge similiter est mortalis; si fiat cum periculo pollutionis. Si absit periculum pollutionis, et fiat comparte absente, ex communi sententia, inquit Billuart, est etiam mortalis: quia actus ille tunc ex natura sua non ordinatur, ad copulam, sed ad pollutionem; idemque propter rationem eandem sustinent, varii de delectatione venerea circa

danger of pollution be excluded, have no reference to copulation. Authors are not so agreed. Most writers teach that, since they are so infamous as not to be excused from weighty sin, when done even with a view to copulation, they are mortally sinful; but if the touches be ordinary, and not persevered in for any length of time, Divines in great numbers teach against the same, that they are only venially sinful, because that pleasure is not sought without the limits of matrimony.

In like manner, if the husband libidinosely touch his own body, or the wife hers, it is a mortal sin, if it be done with danger of pollution. If there be no danger of pollution, and if it be done in the absence of the partner, it is nevertheless, says Billuart, in the common opinion, a mortal sin; because that act is then from its own nature not designed for copulation, but pollution; and for

matrimonii, nec pravo fine fiant, quia conjuges tendunt ad aliquid honestum. Si tamen perverso motivo, v. g. propter voluptatem exercentur, sunt culpæ veniales, etiamsi ad matrimonium ordinentur. 3o. Si non adhibeantur in ordine ad usum matrimonii; nec adsit pollutionis periculum, sunt culpæ veniales, juxta eundem Doctorem, quem sequuntur alii Theologi, qui tamen confitentur esse quosdam tactus adeo turpes et infames ut a mortali excusari nequeant, sive ad matrimonium referantur, sive non.—Tract. de Matrimonio. p. 502.

applied as necessary to the use of matrimony, and be done with no vicious end, because the married couple are preparing for something honest. If however they (the touches) be exercised from a perverse motive, for example for pleasure, they are venial sins, although they be designed for matrimony. 3d, if they be not applied in order to the use of matrimony, and if there be no danger of pollution, they are venial sins, according to the same Doctor, whom other Divines follow, who nevertheless admit that some touches are so base and infamous that they cannot be excused from mortal sin, whether they have referred to matrimony or not.—Maynooth Class Book, Tract on Matrimony, p. 502.

copulam, comparte absente: de quo latius in tractatu de peccatis.

Si vero fiat comparte presente, potest fieri sine peccato, dum fit ex intentione copulæ; si absit intentio copulæ, dicunt aliqui eum tactum esse mortalem; sed distinguit Billuart, scilicet, dicendo eum non esse mortalem, si conjux saltem habeat animum copulandi, casu quo excitetur; mortalem vero, si nullo modo habeat animum copulandi, licet excite-  
tur, quia tunc tactus ille potius ordinatur ad pollutionem, quam ad actum conjugalem.

Quæ de tactibus libidinosi dicta sunt, applicari possant libidinosi osculis, amplexibus, aspectibus, colloquiis, &c. videri etiam possunt, quæ docentur tract. De Temperantia.

An uxor possit se tactibus excitare ad seminationem, si a copula conjugali se retraxerit, maritus, postquam ipse semina-  
verit, sed antequam seminaverit uxor?

*R.* Plurimi negant; eo quod, cum vir se retraxerit, actus sit completus, adeoque illa seminatio mulieris foret peccatum pollutionis: alii vero affirmant:

the same reason various writers maintain the same opinion on venereal delight about copulation, the partner being absent; on which more at large in the tract on sins.

If indeed it be done in the presence of the partner, it can be done without sin, providing it be done from an intention to copulate; but if there be no intention to copulate, some writers say that those touches are a mortal sin; but Billuart distinguishes, to wit, by saying that they are not a mortal sin if the husband have at least a mind to copulate, in which case he may be excited, but that they are a mortal sin if he have by no means a mind to copulate, though he be excited, because then those touches are designed rather for pollution than for the conjugal act.

What we have said on libidinous touches can be applied to libidinous kisses, embraces, looks, conversation, &c. You may also see what is taught in the tract on Temperance.

Can a wife by touches excite herself to spend, if the husband has withdrawn himself from conjugal copulation, after he has spent himself, but before the wife has spent?

*Answer.* Very many say No; because when the husband has withdrawn himself, the act is complete, and therefore that spending of the woman would be

quia ista excitatio spectat ad actus conjugalis complementum et perfectionem: excipiant tamen casum, tibi periculum est ne semen ad extra profundatur.

Hanc posteriorem sententiam ad exorbitantes opiniones laxiorum refert Henricus a S. Ignatio.

a sin of pollution: but others say Yes; because that artificial mode of excitement tends to the completion and perfection of the conjugal act; they however except the case where there is danger, lest the seed\* may be poured forth to the outside.

Henricus, from St. Ignatius refers this last opinion to the exorbitant opinions of the more lax Divines.

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\*Seed received from the man, which the excitement may cause her to eject. See page 39.

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From the many references to preceding numbers, from which no extracts have been taken, it will appear to the reader that in making this pamphlet Dens has been by no means exhausted. I can honestly assure him I might easily make up a large volume of the same sort of matter. Foul and filthy as this sample of popish theology is, I have avoided selecting the worst part of this Rev. Prelate's GUIDE TO THE CLERGY of the Romish Church.

As a proof of the above statement we now give three complete chapters from Dens' without note or comment.

## DE PECCATO CARNALI CONTRA NATURAM.

S. Thom. 2. 2. q. 154. a. 11. & 12. I. *Definitio.* II. *Divisio in 5 Species.* III. *Possunt aliæ species accedere.* IV. *Prop. damn.*

QUID est peccatum carnale contra naturam?

I. R. Est actus libidinosus contra naturam seu finem actus veneri; hic enim ex natura sua ordinatur ad generationem prolis; & ideo hoc peccatum contra naturam censetur esse gravius cæteris speciebus, inquantum scilicet illæ sunt contra virtutem castitatis. Ex alio tamen capite possunt aliæ species esse majoris malitiæ.

II. Quinque assignantur species seu modi peccati contra naturam, nimirum: 1. bestialitas, 2. sodomia perfecta, 3. sodomia imperfecta, 4. pollutio, 5. modus inordinatus in concubitu naturali: hic ordo enumerationis designat quoque ordinem gravitatis peccati. S. Th. a. 12. ad 4.

III. Observa, quod ratione circumstantiarum peccatum contra naturam possit etiam pertinere ad atis luxuriæ species; sic sodomia

conjugati ad adulterium, sodomia cum consanguineis ad incestum, &c.

IV. Pro praxi observa damnationem propositionis 24. inter damnatas ab Alex. VII. "mollities, sodomia & bestialitas sunt peccata ejusdem speciei infimæ, ideoque sufficit in confessione dicere, se pocurosse polutionem."—p. 378 volume 4.

## DE BESTIALITATE.

*S. Thom. 2. 2. q. 154. a. 12. I. Definitio. Gravitas criminis. II. Congressus cum Dæmone. III. Cum cadavere.*

I. BESTIALITAS est coitus carnalis cum bestia aliqua.

Hujus sceleris immanitatem probant pœnæ in illud latæ: *Levit. 22.* mandatur, ut bestia & homo coeuntes interficiantur; apud Christianos flammis absumuntur.

II. Ad hoc crimen reducitur congressus carnalis cum dæmone in corpore assumpto, quod scelus aggravatur per circumstantiam contra Religionem, quatenus includit societatem cum dæmone, ibeoque gravius est & gravissimum peccatum contra naturam: consideranda est etiam forma corporis vel bestię, in qua apparet dæmon; item representatio personæ virginis monialis, &c. Verum plerumque præsumendum est, talia solum fieri per fortem imaginationem, qua decipiuntur homines.

III. Quidam ad bestialitatem reducunt copulam cum cadavere mulieris mortuæ, quia aiunt, illud specie differt ab homine vivo; alii reducunt ad pollutionem qualificatam. Page 379, vol. 4.

## DE SODOMIA.

*S. Thom. 2. 2. q. 154. art. II. I. Definitio. II. Sodomomia minor.*

I. QUID est sodomia perfecta?

R. Est congressus carnalis inter personas ejusdem sexus, nimirum masculi cum masculo, feminae cum femina, in quocumque vase congressus fiat.

Hujus peccati enormitatem satis declarat Scriptura Sacra. *Gen. Cap. 18 & 19. & Ep. ad Rom. 1.*

II. Sodomia imperfecta sive sodomia minor est congressus carnalis maris cum femina, sed extra vas femineum naturale, v. g. si vir effundat semen suum retro per anum in intestinum feminae stercoreum.

Aggravant iterum hoc peccatum circumstantiæ voti, cognationis, matrimonii, licet inter conjuges committatur.—Page 379, vol. 4.











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